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Report of the Working Group on the Universal Periodic Review*

Cyprus

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eighteenth session from 27 January to 7 February 2014. The review of Cyprus was held at the 13th meeting on 4 February 2014. The delegation of Cyprus was headed by Leda Koursoumba, Law Commissioner. At its 17th meeting, held on 6 February 2014, the Working Group adopted the report on Cyprus.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Cyprus: Republic of Korea, United States of America, Venezuela (Bolivarian Republic of).

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Cyprus:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/18/CYP/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/18/CYP/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/18/CYP/3).

4. A list of questions prepared in advance by the Czech Republic, Denmark, Germany, Netherlands, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Cyprus through the troika. The questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Law Commissioner presented the national report. She underlined that Cyprus attributes great significance to the UPR process as the principal human rights protection mechanism.

6. Since the first review cycle, there had been significant developments regarding compliance by Cyprus with human rights instruments. Many laws had been enacted and policies adopted, and several national action plans had been initiated. Independent control mechanisms had been established by law, such as the National Independent Authority for Human Rights, the Independent Mechanism for the Promotion, Protection and Monitoring of the Convention on the Rights of Persons with Disabilities, and the National Mechanism for the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Independent authorities had been created, such as the Commissioner for Humanitarian Issues, and existing mechanisms such as the Commissioner for Children's Rights, the Anti-Discrimination Body, the National Machinery of Women's Rights and the Police Office for Combating Discrimination had further promoted their scope and actions. Cyprus had also transposed a number of European Union (EU) directives.

7. Cyprus had intensified its efforts for closer cooperation with human rights bodies and was now up-to-date with all its treaty reporting obligations. It had ratified, inter alia, the Optional Protocol to the Convention against Torture and the Optional Protocol to the Convention on the Rights of Persons with Disabilities and was promoting the ratification of the Convention relating to the Status of Stateless Persons, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

8. Cyprus had introduced important initiatives for the promotion and protection of children's rights. The Government, in collaboration with the Commissioner for Children's Rights, had promoted new legislation in compliance with international human rights instruments on children's rights, particularly the Convention on the Rights of the Child. In collaboration with the competent government authorities, the media, non-governmental organizations (NGOs) and civil society, the Commissioner had organized seminars and workshops on empowering children and raising awareness of children's rights among professionals and society at large.

9. In promoting human rights education, national action plans and projects had been implemented, including multicultural education projects, school curricula reform, measures to combat violence in schools, including bullying, and in-service training for teachers to combat discrimination by promoting tolerance.

10. Regarding women's rights, Cyprus had consulted widely with women's organizations in preparation for the restructuring and strengthening of the National Machinery for Women's Rights. Cyprus was in the process of preparing the new Strategic Plan on Equality 2014–2017 in collaboration with civil society. Within the framework of women's rights, Cyprus had launched an awareness-raising campaign against trafficking in human beings for sexual and labour exploitation, using the media to disseminate the campaign. More women had been appointed at the decision-making level, and significant efforts had been made to address the issues of labour discrimination and the gender pay gap. The gender pay gap in Cyprus was within the EU average of 16.2 per cent and a special project entitled "Actions for reducing the gender pay gap" had been launched.

11. One of the main priorities for Cyprus was preventing and combating domestic violence. The National Action Plan for the Prevention and Combating of Domestic Violence for the period 2010–2013 aimed to promote concrete policies on a holistic, integrated and systematic basis.

12. Cyprus acknowledged that migration was a major challenge. Within that framework, a series of policy-oriented measures had been adopted, including the signing in December 2012 of a cooperation agreement with the International Organization for Migration (IOM), regular training of staff by the Office of the United Nations High Commissioner for Refugees (UNHCR) and the European Asylum Support Office, reinforcement of the staff at Kofinou Reception Centre, free education for all migrant children and free medical care for all vulnerable groups. Despite budgetary constraints, Cyprus aimed to maintain free access to health care, particularly for vulnerable groups.

13. Increased efforts to combat trafficking in human beings had included the adoption of relevant legislation and a National Action Plan, training of government officials, the abolition of the so-called "artist's visa", awareness-raising campaigns and bilateral cooperation with countries of origin. A bill harmonizing domestic legislation with the 2011 EU directive on trafficking in human beings was under consideration by Parliament.

14. Cyprus was sensitive to issues concerning police ill-treatment and use of force. Special training programmes on human rights issues were provided to all police officers. Several independent bodies had been set up to investigate cases of police ill-treatment.

Another important development was the cooperation of the police with UNHCR and the Ombudsman in drafting of a code of conduct for checking migrants' residence status.

15. Prison reform was a high priority for the Government. A programme of short-, medium- and long-term measures had been adopted. Prison leadership and management teams were undergoing considerable restructuring in order to ensure that prison conditions respected inmates' human rights, in particular their dignity. The prison system was currently shifting from an over-controlling approach to a human rights-based approach.

16. As for the protection of lesbian, gay, bisexual and transgender (LGBT) people's rights, a bill criminalizing public incitement to discriminatory, hateful or violent acts against persons because of their sexual orientation or identity was pending before Parliament. Moreover, a bill regulating the civil partnership pact for same and opposite sex couples was currently open for consultation between government agencies and NGOs with a view to its enactment before the end of 2014.

17. Cyprus was determined to take significant measures in the fight against xenophobia. The relevant 2011 legislation criminalized public incitement to violence or hatred by reference to race, colour, religion, descent, and national or ethnic origin, and racist and xenophobic motivations constituted aggravating circumstances. The measures currently being implemented were a "No Hate Speech" television campaign, the drafting of an anti-racist glossary by the Cyprus Youth Organization in cooperation with the Anti-Discrimination Body, and the publication of a policy report for multicultural education, promoting the integration of non-native students.

18. Cyprus noted that, owing to the continued illegal foreign occupation of 36.2 per cent of the territory of the country since 1974, the Government was not in a position to ensure the application of human rights instruments in the area that was not under its effective control. It could not therefore submit reliable information on the enjoyment of the relevant rights by the population living in the occupied area of Cyprus.

B. Interactive dialogue and responses by the State under review

19. During the interactive dialogue, 53 delegations made statements. The recommendations made during the dialogue can be found in section II of the present report.

20. Denmark commended Cyprus for enhancing the rights of migrants, refugees and asylum seekers, despite the fact that holding facilities fell short of international standards. It also commended Cyprus for enabling children of irregular migrants to access education. It appreciated measures to combat human trafficking, but was concerned that the new work permit system failed to detect sexual or labour exploitation. It made recommendations.

21. Djibouti complimented Cyprus on the steps it had taken to fulfil its human rights obligations by ratifying international instruments, which reflected its willingness to cooperate with human rights mechanisms. It made recommendations.

22. Ecuador commended Cyprus for its ratification of the Convention on the Rights of Persons with Disabilities (CRPD), the Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD), the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC) and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT). Ecuador also welcomed the legislative amendments Cyprus had introduced aimed at ensuring equal treatment of men and women in employment and vocational training, and equal pay for work of equal value. It commended the adoption of the National Action Plan for the Prevention and Combating of Domestic Violence. It made recommendations.

23. Egypt welcomed measures to improve employment rights and migrants' conditions, the ratification of CPRD and OP-CRC-AC, the adoption of legislation on racism and xenophobia and the establishment of an independent police investigation authority. It encouraged Cyprus to continue combating hate speech and incitement to violence and discrimination against migrants and to increase measures to address police violations. It made recommendations.

24. Canada welcomed the proposed amendment to the Criminal Code which would criminalize public incitement of acts against individuals on the grounds of sexual orientation or gender identity and requested an update in that regard. Canada commended Cyprus for action taken to ensure equality between men and women. It made recommendations.

25. France welcomed efforts to implement previous recommendations, including the ratification of CRPD, OP-CRC-AC and OP-CAT. It asked whether Cyprus intended to implement or support anti-xenophobia programmes, including awareness-raising campaigns, and take measures to strengthen ethics training for law enforcement officers and improve administrative and disciplinary oversight of prison management. It made recommendations.

26. Germany asked what steps had been taken to bring asylum procedures into line with international standards, how cooperation with IOM had developed since the conclusion of the December 2012 agreement, and what measures had been taken to enhance the transparency and efficiency of the asylum application process. It also asked how Cyprus intended to increase women's representation and access to public administration leadership positions. It urged Cyprus to ease regulations for domestic workers and allow more frequent authority inspections.

27. Greece commended Cyprus for its efforts to close the gender wage gap, maintain social security benefits above minimum European and International Labour Organization (ILO) standards, provide training for public officials on identifying and assisting victims of human trafficking and establish mechanisms to facilitate impartial investigations into police misconduct. Cyprus should continue its unwavering support of the Committee on Missing Persons in Cyprus in implementing its important humanitarian mandate. It requested more information, particularly on reducing the gender wage gap and financial assistance to victims of trafficking. It made recommendations.

28. Hungary commended Cyprus for its efforts to advance human rights despite the economic crisis and the continued political and territorial division of the island. It noted the recommendations of the Council of Europe on the situation of minorities and the fact that Cyprus had not signed the Convention on the Reduction of Statelessness. It welcomed steps to address human trafficking, encouraged continued efforts in that regard and asked for information on planned cooperation in that field. It made recommendations.

29. Indonesia commended the designation of the Office of the Ombudsman as the national human rights institution. It welcomed measures taken to curb domestic violence and guarantee gender equality, particularly the National Action Plan on Gender Equality. It also welcomed the ratification of CRPD. It made recommendations.

30. Ireland noted the concerns of the Committee on the Rights of the Child about the need to establish a juvenile justice system based on a holistic and preventive approach, a national action plan for child victims of trafficking, and protection for children employed as domestic workers. It welcomed efforts to combat discrimination on the grounds of sexual orientation or gender identity. It made recommendations.

31. Israel welcomed action taken to promote the equality of women in employment, including the establishment of a gender equality certification body within the Department

of Labour Relations to combat the root causes of gender inequality. It made a recommendation.

32. Italy welcomed initiatives to combat abuse and violence, especially sexual violence, against children. It requested additional information on preventive action and support programmes implemented under the National Action Plan for the Prevention and Combating of Domestic Violence. It made recommendations.

33. The Lao People's Democratic Republic commended Cyprus for its ongoing development and enhancement of its human rights legislation, institutions and monitoring mechanisms. It encouraged Cyprus to continue cooperating with the United Nations, other international organizations and stakeholders to overcome remaining constraints and challenges.

34. Malaysia welcomed measures taken to combat human trafficking and encouraged continued efforts in that area. It applauded the commitment to developing human rights education and awareness. It noted remaining challenges, including in ensuring employment, housing, transport and cultural activities for persons with disabilities and minorities. It made recommendations.

35. Mexico recognized the efforts Cyprus had made in human rights protection and promotion despite the difficulties arising from the division of the country. It noted legal and institutional progress in promoting gender equality and the rights of children and persons with disabilities, and in combating domestic violence, discrimination and human trafficking. It welcomed the establishment of the national human rights institution, the ratification of CRPD and the signing of a cooperation agreement with IOM on improving immigration policy. It made recommendations.

36. Montenegro commended Cyprus for its progress in enhancing human rights legislation, institutions and monitoring mechanisms, not least new legislation and amendments on refugee protection, gender equality, torture, children's rights and discrimination. It welcomed the Government's determination to comply with all international human rights instruments to which Cyprus was a party. It asked what steps would be taken to implement the recommendations of the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women on ratifying Council of Europe conventions on child protection and violence against women.

37. Morocco welcomed the role of the Ombudsman. It encouraged continued efforts to combat human trafficking and exploitation and asked what measures had been taken to train the police to tackle human trafficking networks. It welcomed initiatives to meet the educational needs of vulnerable groups and counter racism and violence in schools. It made a recommendation.

38. The Netherlands noted efforts to promote and protect people's civil and human rights, particularly LGBT persons. It welcomed the National Action Plan on Gender Equality and other efforts to tackle gender disparities, highlighting the Manual of Interdepartmental Cooperation on Domestic Violence. It encouraged continued efforts in those areas. It made recommendations.

39. Venezuela (Bolivarian Republic of) noted the efforts of Cyprus in the field of human rights, despite the difficult economic situation, including the launch of a National Action Plan on Gender Equality which addressed a range of themes. It commended Cyprus for signing a cooperation agreement with IOM and for improving capacity-building, technical support and health care on behalf of migrants. It made recommendations.

40. Oman commended Cyprus for its ratification of a number of international human rights instruments and action taken to protect and promote the rights of children and women. It made a recommendation.

41. Paraguay commended Cyprus for its ratification of OP-CAT, CRPD and OP-CRPD as well as its adoption of legislative measures aimed at promoting equal pay for men and women, and combating racism, xenophobia and human trafficking. It was concerned about reports of the adverse effect of the economic crisis on human rights bodies and of increased discrimination against persons of foreign origin. It made recommendations.

42. The Philippines acknowledged the commitment of Cyprus to safeguarding human rights, despite the difficult economic situation. It welcomed the recognition of irregular migrants and their children as a vulnerable group in order to ensure that they had access to public health services. It was encouraged by measures to ensure irregular migrant children had access to public education. It made recommendations.

43. Portugal welcomed the Government's commitment to implementing a national insurance system and efforts to combat domestic violence, in particular the adoption of a comprehensive legislative framework, research into domestic violence and the provision of specialized training for the police. It made recommendations.

44. The Republic of Moldova requested information on the impact of measures implemented under the national action plans on preventing and combating domestic violence and on integrating third-country nationals legally residing in Cyprus. It asked about the current status of draft legislation on children's rights. It welcomed measures and legislation to combat human trafficking. It made recommendations.

45. The Russian Federation noted that, despite the very difficult economic situation, Cyprus continued to take vigorous action to ensure full compliance with all international instruments to which it was a party. It made a recommendation.

46. Serbia noted the strengthening of the Cypriot legal and institutional framework for human rights protection and of the Cypriot independent national human rights institutions. It noted reports of the deplorable condition of religious buildings in the northern part of the island and underlined the need to address such issues as an essential element of reconciliation and respect for the human rights of all people, irrespective of ethnicity. It urged Cyprus to cooperate with OHCHR and support visits by United Nations special procedures mandate holders on internally displaced persons, cultural rights, enforced or involuntary disappearances and the right to education.

47. Slovenia welcomed the ratification of OP-CRC-AC and the enactment of legislation making racist motivation an aggravating circumstance in criminal offences. It also noted the recommendation of the Anti-Discrimination Body to introduce legislation against homophobic speech. It made a recommendation.

48. Spain commended Cyprus for its amendment of the Law on Combating of Trafficking and Exploitation of Persons and the Protection of Victims, which had enhanced the protection of workers from third countries. It made recommendations.

49. Sri Lanka welcomed efforts to incorporate human rights in school curricula, including through teacher training on managing diversity and combating discrimination, and the timely new policy on multicultural education. It also welcomed steps to grant free health services, notwithstanding budgetary restrictions, and efforts to protect the rights of migrants, including cooperation with IOM. It made a recommendation.

50. The State of Palestine welcomed the steps taken by the Ministry of Labour and Social Insurance to reduce the wage gap between men and women. It commended Cyprus for taking action to prevent and combat human trafficking, including the provision of training for police officers under the framework of the National Action Plan against Trafficking in Human Beings, which had been achieved despite economic difficulties. It made recommendations.

51. Sweden observed that there was a heightened risk of inequality owing to the economic crisis. Noting reports of violations of the rights of migrants, refugees and asylum seekers, Sweden asked how Cyprus ensured that local authorities and the police respected the basic human rights of those groups. It recalled its advance question on steps taken to protect guest workers, who were at risk of labour exploitation and sexual abuse. It made recommendations.

52. Thailand encouraged Cyprus to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. It welcomed the recent appointment of the Commissioner for Humanitarian Issues to promote cooperation between the State and religious minority groups, and encouraged the Commissioner to ensure access to education for minorities. It welcomed advances in women's rights and gender equality, but remained concerned about reports of the trafficking and sexual exploitation of women and inequalities in access to health care. It made recommendations.

53. Bulgaria noted that Cyprus had ratified OP-CRC-AC, that the Ministry of Labour had taken initiatives to reduce the gender wage gap and that the Government had taken steps to ensure access to the labour market for persons with disabilities. It requested further information on policy measures to promote the right to education. It made a recommendation.

54. The United Arab Emirates commended the Government for its determination to continue its coordinated efforts to ensure full compliance with all international human rights instruments to which Cyprus was a party and to safeguard the human rights of all people in Cyprus, notwithstanding the economic crisis. It made a recommendation.

55. The United Kingdom of Great Britain and Northern Ireland encouraged Cyprus to guarantee the operational independence and financial autonomy of the Ombudsman. It was concerned about reports about the treatment of prisoners and of discrimination against LGBT persons. It suggested that measures should be taken to enable Turkish Cypriots to participate effectively in cultural, social and economic life and public affairs. It made recommendations.

56. The United States of America, while commending Cyprus for its efforts to address trafficking in persons through cooperation with non-governmental organizations, expressed concern at the lack of a formal mechanism to identify and refer victims to appropriate services. It referred to complaints of exploitation of domestic and agricultural workers, and to reports of some migrants' difficult detention conditions. It made recommendations.

57. Uruguay welcomed the additional provision in the Criminal Code to the effect that racist motivation constituted an aggravating circumstance and the establishment of a national human rights institution. It made recommendations.

58. Uzbekistan expressed concern about reports of racially-motivated verbal abuse and attacks against foreigners, human rights defenders and Turkish Cypriots, and racist discourse in the media. It also noted the vulnerable situation of older women, women with disabilities and domestic workers, and the pay gap between men and women. It made recommendations.

59. Nicaragua applauded the promulgation of new laws, the implementation of national action plans and the establishment of monitoring mechanisms. It encouraged Cyprus to prevent the challenges stemming from the economic crisis from undermining the protection of human rights. It made a recommendation.

60. Viet Nam commended Cyprus for introducing legislative reforms, establishing national human rights monitoring mechanisms, providing support for minority religious groups and taking action against human trafficking. It made recommendations.

61. Algeria welcomed the ratification of OP-CRC-AC and CRPD. It praised measures taken to ensure equal pay and equal treatment of men and women in employment and vocational training, and encouraged Cyprus to continue amending its Children's Law. It emphasized the importance of action against racism, racial discrimination, human trafficking and organized crime. It made recommendations.

62. Argentina welcomed the ratification of CRPD, OP-CRPD, OP-CRC-AC and OP-CAT. It commended Cyprus for its Law on Combating Certain Forms and Expressions of Racism and Xenophobia and encouraged it to take vigorous steps to prohibit and punish all forms of discrimination. It made recommendations.

63. Armenia welcomed policies on multicultural education and in support of national minorities. It appreciated the respectful attitude displayed to the Armenian community and Church. It was concerned that the Government was unable to guarantee human rights and protect cultural heritage sites, including those of religious minorities, in the territory beyond the effective control of the Government. It made recommendations.

64. Australia noted that the persistent division of the island inhibited the full enjoyment of all human rights by the entire population of Cyprus. Australia encouraged the leaders of the two Cypriot communities to reach an enduring and just solution to that issue with the assistance of the good offices mission of the United Nations Secretary-General and his Special Adviser on Cyprus, former Australian Foreign Minister, Alexander Downer. Australia expressed concern about the extent of human trafficking, particularly for sexual exploitation and forced labour. It noted the increasing difficulties posed by the management of irregular migration. It made recommendations.

65. Brazil encouraged Cyprus to conclude ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. It welcomed the broadening of the Ombudsman's mandate, the amendment to the Criminal Code criminalizing public incitement against persons on the basis of their sexual orientation, and the amendments to the Legal Aid Law and the Aliens and Immigration Law. It requested information concerning programmes and policies in support of economic and social rights. It made recommendations.

66. Turkey stated that the Turkish intervention in Cyprus in the wake of the 1974 coup d'état had been fully legal under the 1960 Treaty of Guarantee.

67. Cyprus raised a point of order, indicating that the statement of Turkey contravened the rules of procedures of the Working Group on the Universal Periodic Review. It requested that all erroneous references be omitted from the report.

68. The President of the Human Rights Council recalled that questions of a political and territorial nature did not fall within the mandate of the Working Group on the Universal Periodic Review, particularly given that such issues were subject to the attention of other bodies that were more competent in those areas. The President invited all delegations to focus on human rights issues and avoid politicizing the debate.

69. Turkey pointed out that the most recent United Nations settlement plan had been approved by the Turkish Cypriots, but rejected by the Greek Cypriot authorities. Turkish Cypriots were deprived of basic human rights, such as communications with the outside world and representation in international forums, and their human rights situation could not be directly communicated to, or observed and reported by, relevant international bodies. Turkish Cypriots in the south were subjected to discrimination, ill-treatment and violence, and were denied the right to religious freedom, freedom of movement and education in their mother tongue. Turkey would continue to support the work of the Committee on Missing Persons in Cyprus.

70. Ethiopia encouraged Cyprus to continue considering the introduction of affirmative action and quotas in areas in which women were underrepresented. It welcomed the identification of laws and policies on migrant workers that could be improved. It made recommendations.

71. China welcomed the implementation of the National Action Plan on Gender Equality and the promotion of women's participation in public and political life. It also commended Cyprus for taking steps to protect vulnerable groups, its ratification of CRPD, its amendment of the Refugee Law to extend the coverage of legal aid and its action against human trafficking. It made recommendations.

72. Colombia welcomed the establishment of the Office of the Ombudsman, the strengthening of national human rights institutions and the steps taken to combat human trafficking. It offered assistance based on its own experiences in various fields. It made recommendations.

73. Côte d'Ivoire welcomed measures to promote gender equality, prevent domestic violence and assist victims, support vulnerable groups and prevent human trafficking. It commended the work of the Police Office for Combating Discrimination, the Commissioner for Humanitarian Issues, and the Supervisory Committee of Prohibited Immigrants Detention Centres. It made recommendations.

74. Cuba commended Cyprus for its numerous legislative amendments and its ratification of international human rights instruments. It welcomed the draft legal norms concerning the welfare and protection of children and the new standards incorporated in school curricula and child welfare programmes. It made a recommendation.

75. Romania praised the establishment of the national human rights institution, the adoption of the comprehensive legal framework for the eradication of discrimination, the promotion of equality between men and women and the ratification of important international human rights instruments. It made a recommendation.

76. Cyprus stated that the Government of the Republic remained fully committed to the objective of achieving a viable and functional settlement, pursuant to United Nations Security Council resolutions. Such a settlement must be based on the framework of a bizonal, bicommunal federation, which would safeguard the human rights of all people in the country. As for the Turkish Cypriots living in the Government-controlled areas of the Republic of Cyprus, the Government ensured their effective participation in economic, social and cultural life to the fullest extent possible. The root cause of the shortcomings in the human rights of Turkish Cypriots was the continuing illegal occupation of part of Cyprus by the Turkish military.

77. Turkey, raising a point of order, noted that the Cypriot delegation seemed to believe that the rules of procedure requiring States not to use the Working Group on the Universal Periodic Review as a forum to discuss political issues were not applicable to it. Turkey stated that the 1960 Republic had been based on the political equality of Turkish Cypriots and Greek Cypriots. In December 1963, that partnership had been destroyed and all Turkish Cypriot elements had been removed by force of arms from all State organs. Between 1963 and 1974, Turkish Cypriots had been subjected to all forms of human rights violations and armed attacks by Greek Cypriots. Turkey had intervened in the island in the wake of the coup d'état, which had aimed at the final takeover of Cyprus at all costs.

78. The President of the Human Rights Council recalled that the Working Group on the Universal Periodic Review was not a forum for dealing with bilateral matters or political confrontations and implored all parties to abide by the rules of procedure. Debates regarding bilateral or territorial issues were substantive matters and did not constitute points of order.

79. Pakistan, raising a point of order, considered that the intervention by the Turkish delegation and its point of order did not contain any inaccuracy and that it was the sovereign right of every State to express its views.

80. The Russian Federation, raising a point of order, supported the President's ruling and stated that the Working Group on the Universal Periodic Review was not a place for political debate or historical retrospectives.

81. Greece, raising a point of order, indicated that the Working Group on the Universal Periodic Review had been convened to review the human rights situation in the Republic of Cyprus and that it was counterproductive to use it to raise political issues. Greece requested that the President ask Turkey to respect the rules of procedure of the UPR and the ruling of the President.

82. Egypt, raising a point of order, supported the President's ruling and stated that all the States Members of the United Nations should be addressed by their official names, in line with the practices and methods of work of the Human Rights Council and the Working Group on the Universal Periodic Review.

83. Armenia, raising a point of order, supported the ruling of the President of the Human Rights Council that a point of order should concern only procedural matters.

84. Cyprus, raising a point of order, reconfirmed that points of order should be concerned with procedural matters only and requested that all political or other erroneous terminology not be included in the record or any other document of the meeting.

85. The President of the Human Rights Council appealed to all delegations to refrain from politicizing in any way or interfering in bilateral or territorial matters, which were being addressed by other competent international bodies.

86. Cyprus explained that Turkish Cypriots were entitled to the full enjoyment of human rights by dint of being citizens of the Republic of Cyprus. The Government took special measures to ensure that those rights, including the rights to employment, education and religious freedom, were properly implemented. Thousands of Turkish Cypriots commuted daily to the Government-controlled area where they worked. They were entitled to social insurance benefits, provided that they made the necessary contributions in accordance with the law. The Government took a series of important measures to support the daily life of Turkish Cypriots. It also provided financial support for the maintenance and restoration of mosques, cemeteries and other Muslims sites.

87. The Government was committed to the reform of the juvenile justice system. The Commissioner for Children's Rights had prepared a bill regulating prevention and intervention, which was fully compatible with United Nations principles and guidelines. The bill would be submitted for consultation in the near future.

88. Women played an important role in the peacebuilding process through their participation in various working groups and bicommunal structures.

89. The International Convention for the Protection of All Persons from Enforced Disappearance was in the process of ratification and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights was in the process of signature. The ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was being addressed at European Union level.

90. In recent years, Cyprus had increased its efforts to combat trafficking in human beings by abolishing the so-called "artist's visa", adopting anti-trafficking legislation, establishing the National Coordinator and the Multidisciplinary Coordinating Group against

Trafficking in Human Beings, developing the 2010–2012 National Action Plan, training government officials and establishing international cooperation with other States.

91. Since the abolition of the artist's visa and the introduction of a new system with stringent criteria, numerous establishments, primarily cabarets, that employed women who faced an increased risk of sexual exploitation had gone out of business. The new work permit for performing artists required that artists' qualifications and the establishments that employed them were thoroughly checked. As a result, the risk of trafficking had been significantly reduced, as the number of operational cabarets had fallen from 73 in 2009 to 16, while the number of work permits issued for performing artists at cabarets and nightclubs had dropped dramatically between September 2012 and August 2013 in comparison to previous years.

92. The 2013–2015 National Action Plan against trafficking in human beings established a comprehensive framework for addressing the crime. It had been based on an evaluation of the 2010–2012 Plan and the recommendations of the working groups appointed to that end, and had been approved by the Council of Ministers on 10 April 2013. It took into consideration the provisions of the EU Directive on preventing and combating trafficking in human beings and protecting its victims, the EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016 and the recommendations of the Council of Europe Group of Experts on Action against Trafficking in Human Beings. The 2013–2015 National Action Plan covered all aspects of the issue, included practical measures and actions to be implemented within specified time frames and provided for the financing of the operations.

93. A person recognized as a refugee received the same treatment as that received by citizens of the Republic, under the relevant laws and regulations. Asylum seekers were protected from refoulement and had full access to housing, employment and social support, as provided by the Refugee Law. National legislation provided that asylum seekers had the right to legal assistance before the Supreme Court free of charge, as required by the relevant EU Directive (2005/85/EC).

94. For Cyprus, any police misconduct, including ill-treatment, racist attitudes and any other inappropriate behaviour, was unacceptable. A series of measures had been adopted to eliminate police misconduct, such as the appointment of a high-ranking officer to address complaints of police misconduct brought by the public and the launch of a website for online complaints submission. The police authorities were currently working in close cooperation with the Ombudsman to prepare a professional code of practice that set out the conditions, means of restraint and basic principles of professional conduct at every stage of police action. Police officers received continuous professional training.

95. The material conditions in police detention centres had recently been assessed by European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and had been found to be satisfactory in many respects. All police detention centres were regularly renovated in order to ensure that they met human rights standards and norms.

96. A number of measures had recently been implemented in an effort to reform the prison system to bring it into full compliance with human rights standards and norms. The Ombudsman had confirmed that those measures would assist in implementing her recommendations. A number of specific steps aimed to improve detention conditions, protect vulnerable persons and provide alternatives to imprisonment.

97. A more individual-oriented policy aimed at improving the well-being of prisoners, providing for school programmes, sports activities and vocational work. Training of prison staff was an important aspect. Special emphasis was given to developing interpersonal communication skills based on respect for human dignity.

98. An Independent Committee appointed by the Council of Ministers had undertaken a fundamental review of the Prisons Law and regulations, particularly the disciplinary system, in line with international human rights instruments and norms and with the case law of the European Court of Human Rights. The project would be completed by the end of 2014.

99. An expert had been methodically reviewing all previously announced or unannounced policy and practice that had not been legislated for, with a view to issuing legislative provisions or protocols as appropriate.

100. The right of foreign workers to equal terms and conditions of employment as those enjoyed by Cypriot citizens was safeguarded through written contracts signed by the employer and the employee. Terms and conditions of employment were in accordance with the relevant collective agreements concluded by employers' and workers' organizations. Equal and fair treatment was further strengthened through the 2012 Private Employment Agency Law which regulated the establishment and operation of private employment agencies. In 2013, the Department of Labour Relations had examined 23 labour complaints and forwarded them to the police for further examination and prosecution of the persons responsible.

101. In order to protect the rights of all workers employed in Cyprus, regardless of whether they were Cypriot citizens, EU nationals or non-EU nationals, a complaints mechanism was in operation at each District Labour Relations Office. In 2012, the complaints mechanism had been successful in providing relevant advice leading to mutually agreed satisfactory solutions and ongoing employment relationships between 30 workers and their employers. From January to September 2013, 19 such complaints had been resolved, resulting in the preservation of the employment relationship.

102. Cyprus continuously strengthened its efforts to improve the working conditions of all non-EU national workers, which were clearly established in employment contracts. The terms of employment of non-EU national workers in all economic activities were the same as those provided in collective agreements, which safeguarded equal treatment among all workers in Cyprus.

103. All work permit applications submitted by employers were examined by a tripartite committee consisting of representatives of the Department of Labour Relations and workers' and employers' organizations. The committee inspectors conducted random inspections at workplaces.

104. Cyprus continuously enhanced its efforts to improve the working conditions of domestic workers, as established in the contracts of employment, which were signed by both parties.

105. The ILO Domestic Workers Convention, 2011 (No. 189) addressed areas which were largely covered by EU law in the areas of social policy, anti-discrimination, judicial cooperation in criminal matters, asylum and immigration. Cyprus considered that the provisions of the Convention were largely met by national law and practice in that field. In view of the current financial situation in Cyprus, standards that had not already been met could not be fulfilled at that time. Therefore, Cyprus could not yet commit to ratifying that Convention.

106. Cyprus had adopted and was implementing a strategy to combat domestic violence through the pioneering Violence in the Family Laws. The Manual of Interdepartmental Cooperation on Domestic Violence provided a framework on collaboration between professionals and focused on interdepartmental cooperation.

107. Turkish Cypriot students could attend any public or a private school of their choice in the Government-controlled areas; their fees for private schools were fully subsidized by

the Government. In the past, Turkish Cypriot parents had expressed their preference that their children attend the public school of their area, indicating that the measures adopted were adequate and students' educational needs were met. Turkish Cypriot children had the opportunity to receive language lessons in Turkish. Public schools attended by a considerable number of Turkish Cypriot students provided lessons in the students' own language, religion and culture.

108. Cyprus had been a pioneer in introducing the Law for Education and Training of children with Special Needs in 1999, setting the legislative framework that regulated all matters regarding the education of children with special educational needs who attended public schools. The Law entitled children with special educational needs to "free appropriate public education" alongside their peers and stipulated that the State was responsible for making education and schools fully accessible to them. The inclusion of children with special educational needs in the common core of education was the underlying philosophy and policy of the Ministry of Education and Culture, and was fully aligned with international declarations and tendencies such as the Salamanca Statement and Framework for Action on Special Needs Education. The Commissioner for Children's Rights, having consulted with stakeholders, had examined the application of the Law and issued a report which she had communicated to the Minister of Education and discussed in Parliament. Her recommendations were being taken into consideration in preparations for amending the current legislation.

109. The Government's priority was to ensure equal access to education for all children living on the island. To that end, free and accessible education was offered to all pupils without prejudice based on gender, ability, language, colour, religion, political belief or ethnic background. The Policy Report for Multicultural Education promoted an intercultural policy regarding the integration of non-native speaking students with the collection and analysis of data, development of programmes, actions, language courses and teacher training. The aim of the policy was the smooth inclusion of students from all countries in the Cyprus Educational System.

110. Students from national religious minority groups could attend any public or private school of their choice. Whether they opted to attend their national school or another private school, the tuition fees and other expenses were fully subsidized by the Government. The cultural identity of Armenian, Latin and Maronite communities was safeguarded by the implementation of special programmes which were funded by the State.

111. With regard to racism and xenophobia, a multidisciplinary team of experts called the Task Force on School Violence had been established in order to provide immediate support and guidance to schools facing incidents of violence and racism. Through the team's interventions in schools, vulnerable students received psychological support on a regular basis. Following a recommendation from the Anti-Discrimination Body, the Ministry of Education and Culture was currently drafting a Code of Conduct against Racism in schools, which was expected to contribute to a decrease in bullying and discrimination based on any form of diversity in schools.

112. The Government of the Republic of Cyprus believed that the results-oriented mechanism of the UPR, as well as its monitoring nature, could be seen as a road map for internal assessment and further improvement in compliance with international standards. Cyprus was committed to addressing the new challenges it faced in the field of human rights and to realizing the rights of all people in Cypriot society.

113. The President of the Human Rights Council brought to the attention of the delegations the rules of procedure for the preparation of the reports of the Working Group, according to which the reports were factual and must reflect the interventions made by the State under review and other delegations that took the floor.

II. Conclusions and/or recommendations**

114 **The response of Cyprus to the following recommendations will be included in the outcome report adopted by the Human Rights Council at its twenty-sixth session in June 2014:**

114.1. **Ratify the international instruments not yet ratified (Côte d'Ivoire);**

114.2. **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia) (Paraguay);**

114.3. **Consider favorably ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria);**

114.4. **Consider the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

114.5. **Consider the possibility of acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt);**

114.6. **Sign the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Ethiopia);**

114.7. **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Uruguay);**

114.8. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of the Committee (in conformity with articles 31 and 32) (Uruguay);**

114.9. **Continue efforts aimed at ratifying the International Convention for the Protection of All Persons from Enforced Disappearance as well as the principal international human rights instruments to which the country is not yet a party (Argentina);**

114.10. **Consider ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Spain);**

114.11. **Ratify the Optional Protocol to the ICESCR; the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);**

114.12. **Sign and ratify the Convention on the Reduction of Statelessness (Hungary);**

114.13. **Ratify International Labour Organization Convention No. 189 concerning decent work for domestic workers (Uruguay) (Uzbekistan);**

** The conclusions and recommendations have not been edited.

114.14. **Ratify soon the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Italy);**

114.15. **Consider signing and ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Slovenia)**

114.16. **Facilitate the work and the function of the Ombudsman in accordance with the Paris Principles (Indonesia);**

114.17. **Ensure the full independence of the Office of the Ombudsman so that it is fully compliant with the Paris Principles (Malaysia);**

114.18. **Continue advancing the consolidation of its National Human Rights Institution in conformity with the Paris Principles (Venezuela (Bolivarian Republic of));**

114.19. **Study the measures it considers appropriate to enable the accreditation of the Ombudsman as National Institution of Human Rights, in accordance with the Paris Principles (Algeria);**

114.20. **Complete the process of consolidation of the National Human Rights Institution and its accreditation to the International Coordinating Committee of National Human Rights Institutions (Mexico);**

114.21. **Adopt measures aimed at strengthening the Independent National Authority for Human Rights in order for it to be fully compliant with the Paris Principles; in particular, providing it with adequate resources and more qualified staff so as to strengthen the National Preventive Mechanism against Torture and undertake information campaigns, especially among vulnerable groups (Uruguay);**

114.22. **Continue strengthening the National Machinery for Women's Rights, conferring on it the authority, visibility and resources necessary to fulfil its purposes (Venezuela (Bolivarian Republic of));**

114.23. **Continue efforts to promote and protect human rights in line with international standards (Oman);**

114.24. **Take into account the contributions from this Universal Periodic Review and integrate them into the respective national action plans promoted by the Government in various areas of human rights (Nicaragua);**

114.25. **Step up relevant measures to protect the rights of women, children, persons with disabilities, and migrants (China);**

114.26. **Continue measures for the protection of the rights of vulnerable groups of the population, particularly women, children, persons with disabilities and elderly persons (Russian Federation);**

114.27. **Continue undertaking measures to strengthen the legal system in accordance with the international human rights treaties which it has accepted, especially those referring to the rights of children and young people (Cuba);**

114.28. **Continue the current momentum, national action plans and programmes for effectively addressing challenges and disparities in health care, education, employment, gender equality and social welfare, especially for vulnerable groups of women, children, the elderly and persons with difficulties in the country (Viet Nam);**

114.29. **Continue efforts to strengthen human rights education in school curricula (Morocco);**

114.30. **Continue educational reform and the restructuring of the educational system, particularly paying attention towards raising awareness and education on human rights (Armenia);**

114.31. **Ensure ongoing practical professional training of police officers of all ranks and categories on the protection of vulnerable groups, in compliance with human rights principles (Canada);**

114.32. **Intensify efforts to further raise public awareness and education on human rights and further strengthen capacity-building for human rights institutions and law enforcement mechanisms (Viet Nam);**

114.33. **Strengthen the measures to ensure gender equality, as well as to prevent violence against women (Côte d'Ivoire);**

114.34. **Take further concrete measures to promote equality between men and women by enabling full and meaningful participation by women in the decision-making levels of the formal peace process and the advancement of negotiations regarding the Cyprus issue (Canada);**

114.35. **Incorporate a gender perspective in negotiating and implementing any settlement accords (Australia);**

114.36. **Strengthen public policies aimed at the achievement of gender equality in law and in practice, paying particular attention to the vulnerability of elderly women and women with disabilities and especially with respect to access to education, employment and social services (Colombia);**

114.37. **Continue to pursue the reduction of the gender pay gap (Greece);**

114.38. **Work on strengthening the implementation, monitoring and enforcement of its existing legal framework protecting the equality of women, particularly in the area of employment, in order to achieve a successful reduction in the wage gap between men and women (Israel);**

114.39. **Continue on the path of reducing the wage gap between men and women, including by combating the root causes of the gender pay gap (State of Palestine);**

114.40. **Adopt effective measures for the prevention of any form of racism and discrimination (Uzbekistan);**

114.41. **Implement measures to combat racial stereotyping and discriminatory attitudes against migrants, including through awareness-raising campaigns and by enforcement of legislation against racial discrimination in all fields of public life (Philippines);**

114.42. **Strengthen efforts to protect the rights of migrants by combating racial stereotypes and discriminatory attitudes, including through awareness-raising campaigns and by enforcing legislation against racial discrimination in all areas of public life (Brazil);**

114.43. **Adopt an integrated strategy for the elimination of discrimination on any basis, which deals in particular with racially-motivated attacks against foreigners, persons of African descent and human rights defenders (Colombia);**

114.44. **Adopt legislative and practical measures towards ensuring equality and equal opportunity in the fields of employment, education, health care and housing for all ethnic groups (Uzbekistan);**

114.45. **Step up efforts to combat and sanction effectively all forms of discrimination and intolerance, as well as to take additional measures to provide a more adequate response and the required support to the educational needs of the minorities (Hungary);**

114.46 **Continue actions aimed at the promotion of an environment of tolerance and cultural diversity in order to prevent cases of discrimination in schools (Ecuador);**

114.47. **Increase awareness-raising programmes and campaigns to promote tolerance and respect for cultural diversity in schools as well as in society (Malaysia);**

114.48. **Criminalize public incitement of acts against persons on the basis of sexual orientation or gender identity (United Kingdom of Great Britain and Northern Ireland);**

114.49. **Enact legislation to recognize civil partnership and amend the Criminal Code to explicitly prohibit incitement to hatred, violence or discrimination against persons on the basis of sexual orientation or gender identity (Ireland);**

114.50. **Include a prohibition of discrimination of any kind, including discrimination based on sexual orientation and gender identity, in areas outside employment, in line with international standards (Netherlands);**

114.51. **Continue its efforts to improve conditions of detention (Djibouti);**

114.52. **Develop and employ measures to respect the rights of prisoners, including reviewing the potential for alternative measures for offenders, and detention conditions (United Kingdom of Great Britain and Northern Ireland);**

114.53. **Address concerns over migrant detention centre conditions, including by guaranteeing the right to obtain speedy judicial review of the lawfulness of any detention and to be released if detention is determined unlawful (United States of America);**

114.54. **Conduct an impact assessment on the implementation of its National Action Plan on the Prevention and Combating of Domestic Violence (Portugal);**

114.55. **Provide further assistance to women victims of violence, in line with the relevant recommendations of the Committee on the Elimination of Discrimination against Women (Portugal);**

114.56. **Undertake actions to prevent and combat domestic violence and define a date for ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (France);**

114.57. **Take measures to guarantee the legal protection of women in cohabitating relationships, as well as those who were previously in such relationships, and provide assistance to women victims of domestic violence through the creation of an adequate number of reception and rehabilitation facilities (Paraguay);**

114.58. **Intensify efforts in the field of the protection of children, ratify soon the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, and implement the provisions contained therein (Italy);**

114.59. **Extend its interdepartmental approach on domestic violence also towards forms of violence outside the family, for example gender-related violence and violence against LGBT people (Netherlands);**

114.60. **Take all necessary steps to eliminate human trafficking (Australia);**

114.61. **Persist with its noteworthy efforts to combat trafficking through national and international collaboration (Greece);**

114.62. **Apply the existing legal dispositions on the combating of discrimination and continue the fight on the trafficking on human beings (Romania);**

114.63. **Step up efforts aimed at providing adequate assistance and protection to all victims of human trafficking (State of Palestine);**

114.64. **Provide adequate resources to fully implement its national plan against human trafficking, taking particular attention to curbing trafficking of women and girls (Philippines);**

114.65. **Continue implementing training programmes of public officers within the framework of the revised National Action Plan against Trafficking of Human Beings (State of Palestine);**

114.66. **Step up its efforts in bringing to justice perpetrators of trafficking of women and sexual exploitation, as well as ensuring appropriate and timely compensation for victims (Thailand);**

114.67. **As a source and destination country for men and women who are subjected to forced labour and sex trafficking, improve efforts to prosecute, convict and sentence trafficking offenders (Sweden);**

114.68. **Adopt more effective anti-trafficking measures and further evaluate measures already in use to limit human exploitation, including efforts to protect victims and to prosecute offenders of human trafficking (Denmark);**

114.69. **Strengthen trafficking victim protection services by creating and publicizing a victim hotline and training immigration officials so trafficking victims are adequately informed of their rights (United States of America);**

114.70. **Continue advancing the protection of workers from third countries in Cyprus, including all victims of trafficking and exploitation in the legal aid programme and ensuring the provision of adequate funding for this (Spain);**

114.71. **Establish an effective mechanism for coordinating the implementation of child rights policy among relevant institutions at all levels and bring the juvenile justice system in line with the Convention on the Rights of the Child and other relevant standards (Ireland);**

114.72. **Further promote and protect the rights of religious minorities (Armenia);**

114.73. **Further develop projects concerning relations between different religious and ethnic communities, in line with relevant recommendations of the Special Rapporteur on freedom of religion or belief (Portugal);**

114.74. **Give full and prompt implementation to those initiatives aimed at promoting an increased involvement of women in politics (Italy);**

114.75. **Continue to make full efforts to promote its economic recovery and guarantee its citizens their economic, social and cultural rights (China);**

114.76. **Take all practical measures to prevent the financial crisis that is currently sweeping the nation from affecting citizens' economic, social and cultural rights, and to provide vulnerable groups in the country, especially the unemployed, with all the support and protection (United Arab Emirates);**

114.77. **Ensure universal access to health care and services for all women, in particular migrant and elderly women (Republic of Moldova);**

114.78. **Ensure universal access to health-care services for all, particularly, women, including migrant, disabled and elderly women (Thailand);**

114.79. **Guarantee protection from discrimination for persons with disabilities, particularly in the fields of employment, housing, transport and cultural and leisure activities (Spain);**

114.80. **Continue the measures aimed at the improvement of the protection, integration and, in particular, access to education of children with disabilities (Argentina);**

114.81. **Ensure that children with disabilities are able to exercise their right to education and provide their inclusion in the mainstream education system (Malaysia);**

114.82. **Ensure that children with disabilities are able to exercise their right to education and provide for their inclusion in the mainstream education system (Bulgaria);**

114.83. **Improve access to education and health for minorities and ensure non-discrimination in access to employment and accommodation for migrants (Paraguay);**

114.84. **Step up efforts to protect the rights of migrants (Philippines);**

114.85. **Enhance the implementation of the laws and regulations of Cyprus in the protection of migrant workers (Ethiopia);**

114.86. **Further consolidate measures to promote and protect the rights of migrants, including through monitoring mechanisms and awareness-raising of the public (Sri Lanka);**

114.87. **Initiate an integrated policy for the promotion and protection of the human rights of migrants which takes into account the vulnerable situation of foreign domestic workers (Colombia);**

114.88. **Continuing strengthening its migration policies in the most effective manner in order to address prejudice, racism, racial discrimination, xenophobia and other forms of intolerance (Venezuela (Bolivarian Republic of));**

114.89. **Ensure respect for European and international conventions for the protection of human rights within the framework of treatment of migrants who are affected by the deportation decisions (France);**

114.90. **Consider applying alternative measures to the detention of unaccompanied migrant children (Egypt);**

114.91. **Continue to work to address the challenges posed by the increasing flows of irregular migration (Australia);**

114.92. **Make more accessible and transparent the procedures for granting of residence permits by clarifying the criteria for awarding status, giving reasons for refusal, and improving the information given to foreigners on the remedies available to them (France);**

114.93. **Adopt the measures necessary to ensure that the issuance of work and residence permits does not depend entirely on employers, so that victims of exploitation are not prevented from obtaining justice (Spain);**

114.94. **Increase the measures aimed at eliminating corruption in the mechanisms for the processing of residence and work permits for citizens of non-European Union member States (Spain);**

114.95. **Ensure effective protection against abuse of domestic workers and guarantee their right to just and favourable conditions of work (Republic of Moldova);**

114.96. **Ensure the rights of migrant workers who are domestic workers, including through measures of labour inspection and protection of these workers against their employer (France);**

114.97. **Improve oversight of working conditions to prevent labour exploitation, especially in the domestic and agricultural sectors where foreign workers are particularly vulnerable (United States of America);**

114.98. **Conceive measures to address the phenomenon of the reported increase in labour exploitation, such as by alerting migrant workers, informing migrant workers about their legal rights, and give training to professionals in contact with potential victims (Sweden);**

114.99. **Take concrete measures to improve the access of irregular migrants to acceptable housing (Denmark);**

114.100. **Adopt measures that will enable migrants and their children, including irregular migrants, to access social services other than public health care and school education (Philippines);**

114.101. **Strengthen, in close cooperation with the relevant actors, the capacity to process, care for and house asylum seekers and irregular migrants in conformity with regional and international standards (Mexico);**

114.102. **Ensure that asylum seekers, while awaiting the reviewing of their status, are protected from refoulement and afforded equal and effective access to essential services (Brazil);**

114.103. **Ensure that asylum seekers have free legal aid throughout the asylum procedure (Djibouti);**

114.104. **Improve the mechanisms for the reception of refugees and asylum seekers, ensuring that they are offered psychological and legal assistance, help with languages as well as the opportunity to access employment which corresponds to their professional skills (Spain);**

114.105. **Adopt the measures necessary to guarantee that the children of internally displaced persons enjoy the same legal status as their parents, regardless of the sex of their parents (Mexico);**

115. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Cyprus was headed by H.E. Mrs. Leda Koursoumba, Law Commissioner, and composed of the following members:

- Mr. Andreas Ignatiou, Ambassador, Permanent Representative, Permanent Mission of the Republic of Cyprus, Geneva;
- Mr. George Yiangou, Counsellor/Deputy Permanent Representative, Permanent Mission of the Republic of Cyprus, Geneva;
- Ms. Myrianthi Spathi, Second Secretary, Ministry of Foreign Affairs;
- Ms. Athina Dimitriou, Expert in Detention Matters, Minister's Officer, Ministry of Justice and Public Order;
- Ms. Maro Michaelide, Adviser Officer, Ministry of Interior;
- Mr. Andreas Tsiakkiros, Officer at the Primary Education Director's Office, Ministry of Education and Culture;
- Ms. Natalia Andreou Panayiotou, Adviser Officer for International Relations, Ministry of Labour and Social Insurance;
- Ms. Maria Sologianni, Advisor, Permanent Mission of the Republic of Cyprus, Geneva.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Cyprus

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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Introduction

1. The Republic of Cyprus (RoC) attributes great significance to the Universal Periodic Review (UPR) process, as the principal human rights protection mechanism. We believe that, this process of review is a critical element in our effort towards achieving our common goal.

2. In this spirit, the Cyprus Government has carefully considered the 105 recommendations (RC) received during its UPR in consultation with the Ministries and Services having competence for the specific matters, national independent monitoring mechanisms, such as, the Commissioner for the Protection of Children's Rights, the Ombudsman and other independent institutions, such as the Commissioner of Humanitarian Issues. As a result, Cyprus is in a position to accept **96** recommendations in full, in principle or in part.

3. This document is structured in accordance with the main thematic areas presented in the report of the Working Group on the UPR (A/HRC/WG.6/18/L.12) under Section II 'Conclusions and/or Recommendations'.

4. Cyprus ***accepts*** those recommendations which are considered as already implemented, those which are in the process of being implemented and those which we intend to implement.

5. Cyprus ***accepts in principle,*** recommendations where the Government supports the principle behind the recommendation and where the Government regards itself as compliant, but does not support any suggestion that our current efforts are insufficient or fall short of good practice in a particular area.

6. The recommendations that the Government ***accepts in part*** are those which it is not currently in a position to implement due to, for example, legal or financial restrictions or those we partly reject.

7. Recommendations which are ***rejected*** are, generally, those that the Government is not able to commit to implementation at this stage, or where the Government rejects the assertions being made.

8. The Government is committed to the promotion and implementation of the fundamental human rights instruments and will continue to strengthen the efforts to ensure that policies and legislation towards the protection and safeguarding the human rights will be in line with international standards.

9. Cyprus's determination to safeguard the **rights of migrants** is evident through the series of measures it has taken and will continue to do so in order to balance the need for an effective immigration system and safeguarding of the rights of migrants, and, at the same time, to promote a more co-ordinated and effective approach among the competent authorities. Within this framework, the Government has decided to initiate a revised NAP for migrants' integration to cover the years 2014–2016. This NAP will be the outcome of consultation among competent authorities, national independent monitoring mechanisms, NGOs, civil society and Social Partners. The key elements of the revised NAP will include, inter alia, social inclusion and protection of vulnerable individuals, anti-discrimination and anti-racist policy actions.

10. Regarding **asylum seekers**, Cyprus has taken measures to strengthen the capacity to provide care and housing to asylum seekers. In particular, with the financial aid of the European Refugee Fund, Cyprus is expanding the Reception and Accommodation Centre for Applicants of International Protection in Kofinou, which, by the end of 2014, will be able to accommodate up to 400 persons, whilst at the same time, it has proceeded with

maintenance activities and with the replacement of equipment. Board, lodging and clothing are offered at this Centre, while social workers and psychologists offer their services on a daily basis.

11. Cyprus has increased its efforts to combat **trafficking in human beings**. In this spirit, Directive 2011/36/EU of the European Parliament and of the Council on Preventing and Combating Trafficking in Human Beings and Protecting its Victims, was recently transposed into national law, with Law L.60(I)/2014. It is expected that prosecution of perpetrators will be more effective, and the rights of child-victims will be further protected as the Law contains special provisions to that effect. The amended National Action Plan Against Trafficking of Human Beings (NAPATHB) 2013-2015, takes into account the EU Strategy 2012-2016, the new EU Directive 2011/36/EU and the recommendations of the Commission of Experts of the Council of Europe (GRETA).

12. The fight against **discrimination**, xenophobia and stereotyping is one of the main priorities of the Government at all levels, including, inter alia, education, healthcare, sports and labour. For instance, the NAP on Minimising the Consequences of the Economic Crisis in Public Healthcare, which covers the period September 2013–September 2015, is a useful tool in identifying the challenges caused by the current economic constraints and ways to address them. This NAP was the outcome of consultation among competent authorities, and national independent monitoring mechanisms.

13. Regarding **gender equality** in workplace, the new NAP on Equality between Women and Men 2014-2017 is at the final stages of drafting, following close collaboration with all competent authorities, national independent monitoring mechanisms, the National Machinery for Women's Rights (NMWR), women's organizations and other NGOs, academic institutions and human rights bodies. Combating all forms of violence against women will be one of the six priority areas of this NAP. The Ombudsman, in her capacity as Equality Authority, cooperates with the Cyprus Academy of Public Administration and MIGS (Mediterranean Institute of Gender Studies) to organize an awareness raising campaign on zero tolerance to violence against women and girls in Cyprus, a national media campaign (September 2014–November 2015), and special training to first line officers (March 2014–November 2015). A Code on Sexual Harassment in Public Service will be introduced (2014–2015) and a series of special training seminars on gender equality issues to public officers will be launched (2014–2017).

14. Acknowledging the need for immediate reformation of the operation of the **prisons**, the Government introduced a far-reaching reformation program, based on international human rights standards and norms, and proceeded with drastic corrective measures. The reformation program contains short, medium and long-term measures. Prisons are, already, undergoing a considerable restructuring of its leadership and management team, to ensure that, prison conditions are aligned with the basic principles for the treatment of inmates, including respect of their human rights and dignity.

15. Respect of human rights remains top priority for Cyprus, despite the current economic situation which spread over all sectors and areas of life. The Government adopted a series of measures in order to achieve economic stability and to support economic growth in the medium term. It addresses challenges in three main areas, namely putting public finances on a sustainable path, overhaul of the banking sector and implementation of structural reforms, such as public sector reform, health care and welfare reform. In parallel, the Government is promoting specific measures to support economic activity. These measures will eventually lead to a more stable economy which will consequently improve the standard of living of all people living in Cyprus.

International human rights Instruments and mechanisms

16. Cyprus **accepts** the following recommendations:

114.7, 114.8, 114.9, 114.10, 114.11, 114.12, 114.14, 114.15, 114.16, 114.18, 114.19, 114. 20.

17. Regarding **RCs 114.7 and 114.12,** the ratification process of the 1954 Convention relating to the Status of Stateless Persons is at the final stages, awaiting approval by Parliament.

18. Regarding **RCs114.8, 114.9, 114.11,** consultation among the competent authorities is in process with a view to ratifying the CED.

19. Regarding **RCs 114.14 and 114.15,** the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women is currently under consideration by the Ministerial Committee for Equality between Women and Men.

20. Cyprus **accepts in principle** the following recommendations:

114.1, 114.9, 114.21, 114.23, 114.24.

21. Cyprus **rejects** the following recommendations:

114.2, 114.3, 114.4, 114.5, 114.6, 114.7, 114.13, 114.17.

22. Regarding **RCs 114.2 to 114.7,** Cyprus has not yet signed or ratified the ICRMW, as there is an official position by the European Union on this matter stating that, at present, the EUMS are not in a position to sign or ratify it as its text raises '*several insurmountable difficulties*'. Cyprus transposed into national legislation the relevant European Acquis, fostering the rights of the migrants and of their families, such as the Council Directive 2003/86/EC on family reunification, the Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents, the 'Return Directive' 2008/115/EC etc.

23. Regarding **RC114.13**, ILO C189 has not been ratified as there are some detailed provisions that are not commensurate with national law and practice, and that cannot be envisaged at present due to the economic situation in Cyprus.

Protecting the rights of vulnerable groups - promoting equality

Vulnerable groups

24. Cyprus **accepts** the following recommendations:

114.25, 114.26, 114.27, 114.28, 114.31, 114.36, 114.78, 114.79.

25. Regarding **RC114.28**, the drafting of the new National Action Plan on Equality between Women and Men 2014-2017 (NAPEWM), in close collaboration with all government departments, national independent monitoring mechanisms, women's organizations and other NGOs, academic institutions and human rights bodies, is at the final stages. The Recommendations and Concluding Comments of CEDAW and other treaty bodies are taken into account in the drafting of the new NAPEWM.

Equality

26. Cyprus **accepts** the following recommendations:

114.22, 114.34, 114.35, 114.36, 114.37, 114.38, 114.39, 114.74.

27. Regarding RC114.22, the Government provides a special budget for the NMWR.

28. Regarding RCs 114.34 and 114.35, in the framework of the intercommunal talks, women have played an important role as members of the negotiating bi-communal structures and bodies, working at the same time outside the framework of the negotiations. Government encourages NGOs and civil society, which are active on a bi-communal level and which deal, inter alia, with gender mainstreaming and furthering of implementation of the UNSCR 1325. Their input is taken into account. The overall objective remains the comprehensive settlement of the Cyprus problem in a manner that ensures the respect of fundamental freedoms and human rights for everyone, including gender equality, in law and in practice.

29. Regarding RC 114.74, the new NAPEWM aims to further enhance the participation of women in public and political life with the introduction of positive action measures, such as quotas. In view of the Euro-Parliamentary Elections of 2014, a public consultation of the Government with Women's Organisations, political parties and the media was launched.

LGBTIs

30. Cyprus **accepts** the following recommendations:

114.48, 114.49, 114.50, 114.59.

31. Regarding **RCs 114.48, 114.50** and **114.59,** a Bill amending the Criminal Code so as to criminalize public incitement of discriminatory, hateful or violent acts against persons because of their sexual orientation or identity, is pending before Parliament.

32. Regarding **RC114.49,** a Bill regulating the civil partnership pact for same and opposite sex couples, is at present open for consultation between various Government Services and NGOs, aiming at its enactment before the end of 2014.

Measures to prevent violence

33. Cyprus **accepts** the following recommendations:

114.33, 114.54, 114.55, 114.57, 114.59.

34. Regarding **RC114.54,** the assessment of the National Action Plan on the Prevention and Combating of Domestic Violence 2010-2013, will be taken into account for the new NAP.

35. Cyprus **accepts in principle** the following recommendation:

114.56 The signing and ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence is under consideration by the Ministerial Committee for Equality between Women and Men. A definite date for ratification cannot be given at present.

Combating trafficking in human beings

36. Cyprus **accepts** the following recommendations:

114.60, 114.61, 114.62, 114.63, 114.64, 114.65, 114.66, 114.68, 114.69, 114.70.

37. Regarding **RCs 114.64 and 114.70**, the Government provides a special budget for the National Action Plan against THB (NAPATHB) 2013-2015 and its various actions.

38. Regarding **RC114.69,** there is a State Hotline for complaints, including complaints for trafficking which are directly transferred to the Police Office for Combating Trafficking (POCT) for immediate action and assistance. The POCT cooperates closely with the NGO 'Cyprus Stop Trafficking'.

39. Cyprus **accepts in part** the following recommendation:

114.67: Cyprus does not accept the allegations contained in the first part of this recommendation. Cyprus abides by the relevant international instruments based on which it has introduced or is in the process of introducing further measures, mechanisms and laws to enhance protection against trafficking.

Discrimination

40. Cyprus **accepts** the following recommendations:

114.40, 114.41, 114.42, 114.43, 114.44, 114.45, 114.46, 114.47.

Children

41. Cyprus **accepts** the following recommendations:

114.58, 114.71.

Protecting the rights of migrants, refugees and asylum seekers

42. Cyprus **accepts** the following recommendations:

114.77, 114.78, 114.83, 114.84, 114.85, 114.86, 114.87, 114.88, 114.89, 114.90, 114.91, 114.93, 114.95, 114.96, 114.102, 114.103, 114.104.

43. Regarding **RC114.91**, a Bill ratifying the Cooperation Agreement between Cyprus and the International Organization for Migration is pending before Parliament, expected to be approved by the end of May 2014. Strengthening cooperation between EU and international community is crucial in order to address the multifaceted issue of irregular migration.

44. Regarding **RC114.104**, the Reception and Accommodation Centres are in conformity with international standards (CPT). Further development will also be achieved through the new Asylum Migration and Integration Fund 2014-2020.

45. Cyprus **accepts in principle** the following recommendation:

114.100.

46. Cyprus **accepts in part** the following recommendations:

114.94, 114.97, 114.98, 114.101.

47. Regarding **RC114.94,** Cyprus does not accept the allegations contained in the first part of this recommendation. There is an effective mechanism in place. Nevertheless, Cyprus will continue its efforts to improve its processing mechanisms.

48. Regarding **RC114.97,** Cyprus accepts the part referring to agricultural sector.

49. Regarding **RC114.98**, there is no evidence suggesting increase in labour exploitation.

50. Cyprus **rejects** the following recommendations:

114.92 and 114.99.

51. Regarding **RC114.99**, an acceptable framework for the protection of irregular migrants is already in place.

Internally displaced persons (IDPs)

52. Cyprus **accepts** the following recommendation:

114.105.

Religious minority groups

53. Cyprus **accepts** the following recommendations:

114.72, 114.73.

54. Regarding the **RC114.73**, Cyprus fully supports the work of UN Special Rapporteur on Freedom of Religion and Belief. There is an on-going inter-religious dialogue in Cyprus with the full support of the government. There have been a number of inter-religious meetings.

Detention

55. Cyprus **accepts** the following recommendations:

114.51, 114.52, 114.53.

Unemployment

56. Cyprus **accepts** the following recommendations:

114.75, 114.76.

57. Cyprus has already taken practical measures so as to address the financial situation. The Government is determined to further enhance its efforts towards economic stability and growth.

Education

58. Cyprus **accepts** the following recommendations:

114.29, 114.30, 114.32, 114.80, 114.81, 114.82.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Dominican Republic

* The annex to the present report is circulated as received.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eighteenth session from 27 January to 7 February 2014. The review of the Dominican Republic was held at the 15th meeting on 5 February 2014. The delegation of the Dominican Republic was headed by Alejandra Liriano de la Cruz, Vice Minister of Foreign Relations. At its 18th meeting held on 7 February 2014, the Working Group adopted the report on the Dominican Republic.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Dominican Republic: Gabon, India and Peru.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of the Dominican Republic:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/18/DOM/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/18/DOM/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/18/DOM/3).

4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland, was transmitted to the Dominican Republic through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. In the introductory remarks, the delegation of the Dominican Republic presented its compliments to the distinguished Members of the Human Rights Council and the Working Group in the presentation of its follow-up second-cycle report, and extended a greeting to the States represented, international organizations and NGOs present.

6. Regarding the Dominican domestic legal framework, the delegation reported that since 2010, the State had been governed by a new Constitutional text which ensured more broadly fundamental rights, including civil, political, economic, social and cultural, collective and environmental. It also noted the constitutional block, which consisted of provisions of equal hierarchy emanating from the Constitution, constitutional law and international law.

7. The delegation mentioned a number of laws and regulations regarding development and the rights of persons with disabilities, and referred to several normative advances such as: the amendment to the Dominican Penal Code (addressing aspects such as crimes against humanity, domestic violence, feminicide, forced disappearance, racial segregation and slavery); the ratification of the Convention against Torture and Other Cruel, Inhuman or

Degrading Treatment or Punishment (CAT; in December 2011); adherence to the Protocol to the American Convention on Human Rights to Abolish the Death Penalty (December 2011). It also stated that, while the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC) was pending signature of approval by the Senate, the Deputy Chamber had sent International Labour Organization (ILO) Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries to the Senate for approval, and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP 2) was being examined.

8. In relation to institutional progress, the delegation referred to, inter alia, the creation of the Human Rights Unit of the Attorney General's Office, the election of the Ombudsperson, and the establishment of the Dominican Constitutional Court, in order to ensure the supremacy and protection of constitutional rules, the principles of international law and fundamental rights and freedoms.

9. The delegation reported institutional advances in both the health and the education system, including the programme for early childhood care "Quisqueya Empieza Contigo", which would have an effect on more than 90,000 children aged up to 5 years and their families.

10. Changes within the Organic Act on the National Police were highlighted and it was explained that for specific cases of excessive use of force, discrimination and corruption, independent commissions would be established to evaluate the actions of law enforcement officers. The draft bill also laid down minimum rules for the use of force, in line with the basic principles that should govern it.

11. At the recommendation from the first cycle of Bosnia and Herzegovina, Colombia, Germany and the United Kingdom of Great Britain and Northern Ireland, the delegation reported that the Dominican prison system continued to develop, and there were currently 17 correctional centres for more than 10,000 inmates. Joint work was being carried out to integrate prisons operating under the old system into the new system, and the ultimate goal of reintegrating persons deprived of liberty once they have served their sentence.

12. The delegation made observations about a recent Constitutional Court ruling concerning an amparo legal action that had attracted the attention of the international community because of the effect it could have on the rights of those born to foreign parents under irregular conditions living in the Dominican Republic.

13. The delegation stressed that the different opinions and recommendations had been listened to and the legal alternatives available studied in depth, and that, on that basis, the Government had worked to provide the best solution to the challenges faced by the Dominican Republic regarding the registration and documentation of its citizens and the immigration control of foreign citizens.

14. Under article 184 of the Constitution, the Constitutional Tribunal is "to ensure the supremacy of the Constitution, defence of the constitutional order and the protection of fundamental rights" and that its decisions "are final and irrevocable and constitute binding precedent for the public powers and all State organs".

15. The Government had expressed its respect for the Court's decision and its independence, and had abided by the ruling from the strictest respect for the country's institution. However, at the same time, President Danilo Medina had expressed the Government's firm resolution to preserve fundamental rights and the rights acquired by all people living in the Dominican Republic. Since the beginning of his administration, the President and his Government had been committed ensuring modern and transparent

management of migration and facilitating the issuance of documentation to its nationals, with the aim of responding to the historical shortcomings afflicting the country.

16. Aware of the need to respond to those shortcomings, action on which had been postponed for decades, and that the ruling had brought the issue to the attention of the international community, the Government had launched, in record time, the most ambitious and comprehensive plan on regularization in the history of the country. The objective of that plan was to document and ensure regular status for all persons living in Dominican Republic territory, thus protecting their fundamental rights and reducing their vulnerability. In just three months, a clear road map had been established and actions initiated that should provide a response to the different documentation requirements presented in the country affecting both nationals and foreigners. The response would be comprehensive, inclusive and consistent with international standards. The process was being carried out with full respect for the laws and institutions of the Dominican Republic, but also of international human rights law.

17. The plan consisted of two pillars. The first pillar was the national plan for the regularization of foreigners in irregular migration situations, which would have a positive effect on the conditions of foreigners residing irregularly in the country. The plan provided for the possibility that the foreigners in irregular situation could be granted one of the immigration statuses set out under the law, according to the circumstances of each individual, provided they meet the requirements set for them.

18. Under that plan alone, the Dominican Republic could regularize in the next 14 months the migration status of thousands of people from over 100 countries who found themselves in an irregular situation in the country, and thus end their uncertainty and irregularity. Only those cases that related to people who had not been properly documented to date, and who therefore must now process their corresponding status according to their situation, would be handled under those regularization or documentation procedures.

19. From the first week of February 2014, local province offices would be operational throughout the territory to service both the beneficiaries of the regularization process and those seeking to benefit. In order to ensure fairness and transparency, each of the cases filed would be studied individually, according to clear requirements, under expedited procedures and at minimum cost.

20. The delegation stated that the Government was ensured that no person with Dominican nationality would be stripped of it. That was why the second pillar announced by the Government was to submit to Congress a law to resolve the irregular situation of the children of undocumented immigrants registered in Dominican Republic and their descendants.

21. The Government was committed to allocating sufficient human, technical and material resources to developing the two pillars of the plan as quickly as possible and with full guarantees for the State and those affected. Among those affected were irregular immigrants working and studying in the country, to whom the Government had promised to give priority in granting work and study visas.

22. The target population would be duly informed of the plan through a comprehensive programme of dissemination starting in February 2014. The Government would have the support of civil society, churches, community organizations and other institutions, both in the process of the accompaniment and in the process of the identification of the beneficiaries of the plan. The Government had shown its readiness for the international community to observe and collaborate in the process.

23. Through Presidential Decree No. 327-13 of 29 November 2013, the Dominican Republic had ensured that deportations would be suspended during the implementation of

the regularization process for those who chose to benefit from the plan. The authorities were strictly observing that decree.

24. The Dominican Republic was not the only country facing major challenges in migration planning and documentation, and it has taken advantage of the many experiences and contributions of other countries, which had allowed the Dominican Republic to build a coherent and effective road map that would hopefully also be valuable for other countries in similar situations.

25. Referring to the implementation of the recommendations made in 2009 by the Holy See, Italy, Spain, Slovenia and Uruguay, the delegation stated that the drafting of a provision to combat child abuse continued through the Guide on Comprehensive Health Care for Children and Adolescents Victims of Violence and Abuse, and that a strategic framework proposing a road map for making the Dominican Republic free from child labour by 2020 and from its worst forms by 2015 was being implemented.

26. The Dominican Republic had started implementing multiple programmes to prevent teenage pregnancy through the National Commission for the Prevention of Domestic Violence, with the support of departments of the Ministry of Health, Education and Youth, and the Office of the First Lady and the Office of the Vice President.

27. In accordance with the recommendations of Canada from the first cycle regarding the rights of persons with disabilities, the Dominican Republic had signed agreements aimed at their protection, and had carried out an intensive campaign in 2013 to promote their social inclusion, together with workshops aimed at their insertion into the productive national labour market.

28. A concern about that topic had been raised by the delegation previously in the intervention of the Dominican Republic during the 51st Commission for Social Development held in February 2013 at the United Nations Headquarters in New York, regarding the situation of disabled persons who were not yet reflected as vulnerable group in the area of HIV/AIDS at the United Nations, which should be done in order to increase international cooperation in combating HIV/AIDS and helping persons who were affected with the disease.

29. Taking into account the previous recommendations of Azerbaijan, Chile, Cuba, Egypt, the Holy See, Italy, Switzerland, the Netherlands, Norway and the United Kingdom of Great Britain and Northern Ireland, the delegation noted that the protection of women was enshrined in its Constitution of 2010, and that there were advances regarding the rights of women, including related to the right to equality in political participation. The Dominican Republic had women deputies and senators, mayors, councilors and, for the second time, a woman has been elected as Vice President.

30. Regarding racial discrimination, in accordance with the recommendations of Algeria, Belgium, Ghana, Nigeria and the United Kingdom of Great Britain and Northern Ireland, the delegation stated that the Government had been implementing a series of measures, such as the Attorney General's resolutions aimed at preventing any discrimination against the access of persons to court and to prosecute all forms of discrimination in social services throughout the country.

31. The Special Prosecutor's Office to Combat Trafficking and Smuggling in Persons was created in 2013 as one of the efforts to combat those crimes, and all members of the Public Prosecution Service were instructed to take immediate and forceful action against pimping and human trafficking.

32. Regarding the right to social security and an adequate standard of living, the delegation reported the continued hard work aimed at the elimination of poverty and food insecurity of the most vulnerable. From 2012, the central Government had provided for the

implementation of various affirmative actions, including the merger of Progressing Programme and the Community Technology centres, calling the resulting project "Progress with Solidarity", with the aim of taking more than 400,000 households out of extreme poverty, raise 1.5 million poor to the middle class and ensure 200,000 new families coverage with the Solidarity Card.

33. The country had had the privilege of being recognized at the end of 2013 by the Food and Agriculture Organization of the United Nations as one of the 20 countries which in 2012 had had significant success in fighting hunger and in complying with Millennium Development Goal 1.

34. As to the recommendations made by the delegations of Cuba and Colombia, the delegation reported that the health sector was currently undergoing reform and modernization, which resulted in the implementation of 2012 Plan, based on the lines of action set out in the National Development Strategy, the Millennium Development Goals, the 10-Year Health Plan, the National Multi-Year Plan for the Public Sector 2011–2014, the Strategic Health Agenda, international commitments and the strategic agenda of the National Health Council and the operational plans made by each branch of the institution.

35. The Plan's strategies and interventions were aimed at meeting public health needs and focused mainly on: maternal mortality, infant mortality, vaccine preventable diseases, dengue, malaria, tuberculosis, HIV, and zoonoses. The Plan was based on strengthening primary health care, by ensuring effective immunization coverage levels and access to medicines for the population. Thirteen per cent of the 2012 budget for the Plan was earmarked for Haitian people, regardless of their immigration status, and covered services in the Dominican health centres.

36. The delegation referred to the increase in affiliations to the Social Security System and the Old Age, Disability and Survivors of the Contributory Insurance Scheme, together with the increase in the incorporation of workers from the informal sector in the Social Security System (by 122.7 per cent as of February 2013).

37. The delegation mentioned measures to ensure access of all children and adolescents to different public schools, without the presentation of an identity document, ensuring enrolment of foreign children regardless of their immigration status. It gave details on the National Literacy Plan "Quisqueya Aprende Contigo", which aimed to teach reading and writing to all people over 15 years old under equal conditions, in order to bring the illiteracy rate among the young and adult population to zero in a period of two years.

38. Great progress had been achieved with the provision granting 4 per cent of gross domestic product (GDP) to the annual budget of the Ministry of Education, at the request of Dominican society in 2012, in line with the General Education Act and the amendments thereto and in compliance with the 10-year plan for education previously cited during the 2009 UPR. It added that 0.5 per cent of GDP had been allocated to higher education.

39. The delegation reported that, following the adoption of resolution 01-14 of the National Council for Migration, the Government of the Dominican Republic would proceed to establishing a new visa for seasonal workers, in order to regularize their immigration status.

40. One of the mayor challenges that the State had to overcome was socioeconomic differences and it was doing so by guaranteeing stable economic and educational development and that want was reduced and delinquency and antisocial acts limited.

B. Interactive dialogue and responses by the State under review

41. During the interactive dialogue, 48 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

42. Morocco commended the Dominican Republic for measures to meet the needs of the population, especially Act No. 1-12 on the National Development Strategy, and requested further information on the national plan referred to therein. It welcomed efforts to combat corruption. It noted the provision of human rights training and asked whether the implementation of a general framework for human rights education was envisaged. Morocco made recommendations.

43. The Netherlands noted that, despite efforts to establish gender equality and equity, gender-based violence was prevalent and would remain so as long as it was excluded from the Criminal Code. It expressed concerns about maternal mortality rates and discrimination against lesbian, gay, bisexual and transgender (LGBT) persons. The Netherlands made recommendations.

44. Nicaragua noted reforms to the Criminal Code and the adoption of new legislation, including the General Migration Act. It acknowledged measures aimed at resolving the irregular situation of migrants and encouraged the country to continue working in that area, while recognizing the challenges faced in that respect. Nicaragua made recommendations.

45. Norway welcomed the creation of the position of Ombudsperson. It was concerned about the Constitutional Court ruling to revoke citizenship rights of, and in some cases expel, descendants of migrants residing in the country and the high incidence of violence against women. It recalled that the Government had accepted during its first review recommendations to end discrimination against LGBT persons. Norway made recommendations.

46. Paraguay welcomed amendments to the Criminal Code, in particular the criminalization of torture and forced disappearances, and penalties for domestic violence and feminicide. It applauded the appointment of the Ombudsperson, the introduction of a strategic framework to address child labour and efforts to ensure birth registration of all children. It noted initiatives for the prevention and prosecution of domestic violence. Paraguay made recommendations.

47. The Philippines acknowledged legislative changes to enhance the rights of children, women and persons with disabilities. The National Council for Migration would contribute to strengthening migrants' rights and it encouraged the periodic review and enhancement of related programmes. Efforts to combat trafficking in persons should continue. The Philippines made recommendations.

48. Portugal welcomed the commitment to improve the human rights situation in the country, the appointment of the Ombudsperson, the willingness of the Government to consider requests from special procedures to visit the country, and measures taken concerning the regularization and naturalization of migrants in an irregular situation. Portugal made recommendations.

49. Singapore noted efforts to promote gender equality, illustrated through the high number of women in political office, to strengthen protection of women against domestic violence, and the establishment of a helpline and reception centre in that regard. It noted the creation of the Special Prosecutor's Office to Combat Trafficking and Smuggling in Persons and the enforcement of anti-trafficking regulations. Singapore made recommendations.

50. Slovenia welcomed measures to combat violence against women. It noted the concerns raised by the Committee on Economic, Social and Cultural Rights and the Human

Rights Committee about racial discrimination and regretted the difficult situation of Haitian migrants and Dominican nationals of Haitian descent. It expressed concern at the Constitutional Court ruling to revoke the citizenship of Dominican nationals of Haitian descent. Slovenia made recommendations.

51. Spain commended the Dominican Republic for directly incorporating international treaty obligations into its current Constitution. Spain made recommendations.

52. Switzerland was concerned about the situation of persons of Haitian descent, who had been stripped of their nationality right following a Constitutional Court ruling. It expressed concern about violence against women. In the light of reports of human rights violations committed by the police, it commended steps to establish a committee to reform the national police. Switzerland made recommendations.

53. Thailand commended efforts to strengthen domestic legislation and institutions, particularly narrowing socioeconomic gaps and increasing access to basic services for vulnerable groups. It noted the ongoing reform of the public health sector. Efforts to enhance women's role in economic and political spheres were commendable, but traditional stereotypes remained a challenge in that regard. Thailand made recommendations.

54. Trinidad and Tobago recognized the challenge in combating trafficking in persons and commended progress made in addressing the problem. The Constitutional Court ruling that stripped many Dominicans, mostly of Haitian descent, of citizenship violated international obligations and should be redressed without delay. It noted that, despite the recent steady economic growth, levels of poverty and inequality remained high. It made recommendations.

55. Turkey commended the adoption of the National Development Strategy. It noted developments concerning women's rights and the focus on the elimination of violence against women. It noted the adoption of a policy to invest in young people, the planned road map to eradicate child labour and cooperation with both civil society and the United Nations Children's Fund (UNICEF). Turkey made recommendations.

56. Ukraine commended ratification of CAT and noted the appointment of an Ombudsperson. It expressed concerns about the conformity of migration legislation with international standards on nationality and encouraged the Government to abstain from applying the General Migration Act retroactively and to enable those with Dominican nationality from birth to maintain it. Ukraine made recommendations.

57. The United Kingdom of Great Britain and Northern Ireland encouraged further security services reform to address the unacceptable number of extrajudicial killings by the national police. It was concerned by corruption within the judicial system. It expressed concern at racial discrimination, which should be eliminated, particularly regarding the issue of identity documents. It welcomed the appointment of an Ombudsperson and prison reform. It made recommendations.

58. The United States of America commended the appointment of an Ombudsperson. It urged the Government to consult with international partners and civil society to address concerns regarding the Constitutional Court ruling on citizenship. It expressed concerns about labour-related violations, shortcomings in labour inspection and the use of excessive force and unlawful killings by the national police, despite efforts towards reform. It made recommendations.

59. Uruguay commended the ratification of CAT and the Convention on the Rights of Persons with Disabilities (CRPD). Cases of statelessness remained a concern. It nevertheless appreciated efforts to confront the problem and encouraged the Dominican Republic to step up such efforts through coordination with the United Nations system. Uruguay made recommendations.

60. The Bolivarian Republic of Venezuela noted the "Progress with Solidarity" development project; investment in education and the "Quisqueya Aprende Contigo" Plan; and penitentiary reforms that sought to reintegrate prisoners into society and process complaints against prison officials. It requested further details on measures to combat domestic violence. It made recommendations.

61. Viet Nam commended the institutionalization of national human rights mechanisms, strengthening of domestic legislation and accession to international human rights instruments, including CAT. It noted measures to tackle racial discrimination and trafficking in persons, and to protect vulnerable groups. Viet Nam made recommendations.

62. Algeria welcomed ratification of CRPD and CAT. It noted the National Development Strategy, which it hoped would improve citizen's enjoyment of their human rights. It encouraged the Government to follow up on commitments through programmes for vulnerable groups. The country would benefit from technical assistance. Algeria made recommendations.

63. Angola commended progress in human rights, especially in the areas of health and education, the latter having received 4 per cent of GDP. It asked what concrete measures had been taken to protect and integrate persons with disabilities into society and what results were envisaged. It requested information on the policy to end violence against women. Angola made a recommendation.

64. Argentina commended progress made since the first UPR cycle, including ratification of CAT and creation of the Human Rights Unit in the Attorney General's Office. It noted efforts to protect the rights of migrants and encouraged further steps to resolve the situation of persons of Haitian descent and their children. Argentina made recommendations.

65. Australia acknowledged progress on gender-based violence and inequality. It expressed concern regarding human rights violations by law enforcement officials, and the Constitutional Court ruling of September 2013 which introduced a retroactive and restrictive interpretation of nationality provisions that largely affected persons of Haitian origin. It was concerned by the treatment of migrant workers through the deportation process. Australia made recommendations.

66. Belgium commended the Dominican Republic for reopening dialogue with Haiti on the issue of migration. However, many challenges remained in that regard, particularly concerning combating all forms of discrimination. Welcoming legislation on the prevention and eradication of violence against women and provision of affordable medical care, it remained concerned by the incidence of sexual violence. Belgium made recommendations.

67. The Plurinational State of Bolivia noted the establishment of the Constitutional Court, Human Rights Unit in the Attorney General's Office, National Directorate for Victims Services, and Office for the Legal Representation of Rights of Victims, to improve access to justice. Efforts to strengthen human rights institutions, legislation and policies should continue. It made recommendations.

68. Brazil noted the ratification of CAT and applauded the reduction in fatalities resulting from domestic violence. It commended efforts to eradicate poverty. While the Bilateral Dominican-Haitian Commission had been reinstated, the Constitutional Court ruling that affected the nationality of persons of Haitian descent should be addressed. Suspension of deportation of Haitian migrants was a positive step. Brazil made recommendations.

69. Canada requested details on the status and impact of measures, agreed in 2010, to combat and penalize human trafficking, including the number of prosecutions. It welcomed

legislative initiatives to assist persons with disabilities, enabling social inclusion and more productive life and respect for their rights. Canada made recommendations.

70. Chile commended promulgation of a new Constitution; the ratification of CAT and CRPD; and progress in combating human trafficking and sexual exploitation. It noted the prioritization of universal access to education and health care, the latter to reduce maternal and infant mortality. It acknowledged the explanation of the Constitutional Court ruling on nationality, and noted efforts to legalize foreigners. Chile made recommendations.

71. Colombia applauded the new Constitution; appointment of an Ombudsperson; the implementation of Act No. 1-12 on the National Development Strategy, the Criminal Code, the Organic Act on the National Police, the national action plan against trafficking in persons, and the law to eradicate violence against women; and progress made in the health sector. Colombia offered assistance in implementing the recommendations it had made. Colombia made recommendations.

72. Cuba commended the Dominican Republic for Act No. 1-12 on the National Development Strategy, which promoted rights related to education, childhood, adolescence, women, social development, life, persons with disabilities and the elderly. It acknowledged improvements in health-related services and infrastructures. Construction of new schoolrooms and expansion of educational programmes would improve the education system. Cuba made recommendations.

73. The Democratic People's Republic of Korea commended the progress made regarding recommendations accepted during the first UPR cycle, particularly the implementation of a strategic framework to eradicate child labour, and development of provisions to combat child abuse, including corporal punishment and to support child and adolescent victims of violence. It made a recommendation.

74. Djibouti acknowledged the creation of the supreme centre with in the public prosecutors service of the Human Rights Unit, contributing to the implementation of human rights-related decisions and directives. It noted steps taken to support vulnerable groups, and commended the National Development Strategy, which focused on enjoyment of fundamental human rights. Djibouti made a recommendation.

75. Ecuador recognized progress made in the promotion and protection of human rights, especially efforts to improve the quality of life and rights of persons with disabilities. It noted the significant investment in education, the programme for early childhood care, the System of Statistical Indicators for Children and Adolescents, and programmes to prevent teenage pregnancy. Ecuador made recommendations.

76. Egypt noted progress made since the first UPR cycle; including improving citizens' access to human rights institutions. A resolution of the Supreme Council of the Public Prosecution Service had led to the establishment of the Human Rights Unit, which operated under the Attorney General's Office. Egypt made recommendations.

77. Estonia positively noted the involvement of civil society in the preparation of the report. It welcomed accession to the Rome Statute of the International Criminal Court and the ratification of CAT, which should be implemented. Commending efforts to promote women's rights, guarantee gender equality and combat violence against women and girls, which remained a concern, it urged the full implementation of related legislation. Human rights violations by police and security forces should be investigated and prosecuted. It encouraged efforts towards universal free primary education. Estonia made recommendations.

78. France welcomed the efforts made by the Dominican Republic to implement several of the recommendations made during the first cycle of the UPR in 2009. It commended ratification of CAT. France made recommendations.

79. Germany commended the progress made since the first UPR cycle. It expressed concern regarding the discrepancy between the country's legal standards and their implementation, with particular regard to violence against women and excessive use of force by police officers. Discrimination faced by migrants, especially families of Haitian descent, was of concern. Germany made recommendations.

80. Guatemala noted Act No. 1-12 on the National Development Strategy and the creation of the National Register for the Assessment and Certification of persons with disabilities, which would facilitate development of appropriate policies; the Human Rights Unit in the Attorney General's Office; and the National Council for Migration. It reiterated concerns regarding legislation on nationality and migration, particularly affecting Haitians born in the country. Guatemala made a recommendation.

81. Indonesia acknowledged the consolidation of human rights principles into domestic legislation, Act No. 1-12 on the National Development Strategy, the review of Act No. 42-00 on disability, the establishment of the Human Rights Unit in the Attorney General's Office, the appointment of the Ombudsman and the establishment of the Constitutional Court. It commended efforts to protect women's rights and improve access to education. Indonesia made recommendations.

82. Iraq welcomed implementation of the National Development Strategy, establishment of the Human Rights Unit in the Attorney General's Office, and improved access to human rights institutions for citizens. It noted campaigns to end violence against women, and measures to combat poverty and improve access to education for all children, despite their legal status. Iraq made a recommendation.

83. Ireland noted steps to tackle gender-based violence, including the provision of protection and access to information for victims. It remains concerned about the continuing high incidence of killings of women. The Criminal Code should adequately punish violence against women. Constitutional Court ruling TC0168/13 could result in statelessness for many, particularly persons of Haitian descent. Welcoming the prosecution of freedom of expression violations, it expressed concern regarding threats against journalists and human rights defenders who have opposed the decision of the Constitutional Court. The Government should cooperate with the Special Rapporteur on the situation of human rights defenders. Ireland made recommendations.

84. Italy welcomed the ratification of CAT, encouraging its implementation, and measures to improve human rights education. Despite steps taken, gender-based violence remained a concern. It asked what steps had been taken to combat exploitation of children, such as prostitution, pornography and domestic work. It noted the policy to "clean up" national institutions, and police and security forces. It expressed concern regarding the Constitutional Court ruling on nationality. Italy made recommendations.

85. Jamaica noted the prioritization of persons with disabilities and the strengthening of National Council for Persons with Disabilities, establishment of the Human Rights Unit in the Attorney General's Office, and implementation of a strategic framework and national road map to eliminate child labour by 2020. The discriminatory Constitutional Court ruling TC0168/13 would render many persons of Haitian descent stateless, which was of concern. It welcomed the resumption of dialogue with Haiti in seeking to address this issue. It urged the Government to resolve the issue of citizenship rights of Dominicans of Haitian descent and other affected nationals.

86. Malaysia noted legislative and institutional measures to protect and promote human rights. It commended steps to advance women's rights, and mechanisms to combat violence against women and provide assistance to victims of abuse. It noted efforts to protect children's rights, particularly to improve the quality of education. Malaysia made recommendations.

87. Somalia commended the progress identified in the national report. It noted that 74 of the 79 recommendations made during the first UPR cycle had been accepted, and that the implementation of many of those had begun. Somalia made recommendations.

88. Montenegro welcomed the ratification of CAT, and asked how it would be implemented, notably in cases of excessive use of force by law enforcement officials, especially in prisons. It requested details of the measures taken following the recommendations made by the Committee on the Elimination of Discrimination against Women. Noting decriminalization of abortion in some cases, it asked whether legislation would be amended in cases of rape, incest or fetal malformation. Montenegro made recommendations.

89. Mexico noted Criminal Code reform in areas such as domestic violence, slavery and racial segregation. It commended the establishment of the Constitutional Court and the Human Rights Unit in the Attorney General's Office. It applauded the ratification of CAT and other efforts to combat torture, and urged cooperation with the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. Mexico made recommendations.

90. Regarding the question raised by Liechtenstein and the Netherlands on the Kampala Amendments, the delegation reported that the amendments were under internal consultation, but that in the draft Penal Code under consideration by Congress, all grave crimes under the Rome Statute, including the crime of aggression, were established as criminal offences.

91. Regarding the question raised on LGBT community, the Dominican Republic reported that it guarantees their rights, in accordance to articles 8 and 39 of the Constitution regarding the right to equality for all. The draft Penal Code also included norms against discrimination, the Dominican Republic had co-sponsored the declaration aiming to fight discrimination based on sexual orientation and there were no restrictions on public activities such as the Caravan of Gay Pride.

92. Regarding the questions raised on the ru ng of the Constitutional Court by several delegations, the delegation stated that in the Dominican Republic all persons, including foreigners, had access to the rights to health, education and work. The decision of the Constitutional Court did not affect any person who had been born in the Dominican Republic and issued with a valid birth certificate. Those who had been born in the Dominican Republic and who were registered on the Civil Register but had irregular documentation, as long as that documentation had not been obtained by fraudulent means, might benefit from a special law that would allow them to acquire Dominican nationality. Those who did not wish to apply under that law could appeal to the Court.

93. In its ruling, the Court stated that nobody could be deprived of documentation by an administrative process but that the procedure must be in line with the Court procedures. In a first survey of the Civil Register, there were 53,847 children of foreigners on the register, of whom 24,392 were registered irregularly. In order to deal with the cases of those children, the Government had proposed a special bill that would recognize those persons as citizens of the Dominican Republic, as they did not have links or roots in any other country. The President will bring the draft before Congress once the next regular legislative period started.

94. As a result of Constitutional Court ruling TC0168/13, no one had lost their nationality and no person had been affected. The ruling only determined that any person that had been proved to be irregularly registered, i.e., not in in compliance with the law in force at the time of their birth, would be individually subject to a nullification process before the competent courts, which would decide on the validity of his or her documents.

95. The ruling stated that, from 1929 to date, all persons born in the Dominican Republic are nationals of the country with two exceptions: the children of accredited diplomats, in line with the Vienna Convention on Consular Relations, and the children of persons in transit and of foreigners who are irregularly in the country. Therefore, the delegation concluded that the ruling could not be retroactive, as the rule only referred to laws that had been in force since 1929.

96. Regarding Germany's question on the support provided to persons without documents to prove their migratory status, the delegation noted that the Government had established, by Presidential Decree 327-13, the national plan for the regularization of foreigners in irregular migration situations, which sought to regularize those foreigners living without a legal status. An easy and free-of-charge procedure had been established so that in the next 18 months those interested could register and present documents showing they have links with Dominican society and that they had economic roots. According to the 2012 immigrants survey, there were nearly half a million foreigners: a majority did not have a legal status and more than half did not have identity documents from their country of origin. As a guarantee for foreigners, the Government had forbidden any deportations for those who had requested to be covered by the plan during its implementation.

97. The delegation finally expressed its satisfaction for being able to present the report and assured that all the recommendations would be taken into account, trusting that, with the assistance of various countries, the Dominican Republic could ensure that human rights were established definitively as the main guide for a life with dignity.

II. Conclusions and/or recommendations**

98. **The following recommendations will be examined by the Dominican Republic which will provide responses in due time, but no later than the twenty-sixth session of the Human Rights Council in June 2014:**

98.1. **Consider ratifying those international human rights instruments to which it is not yet a State party (Nicaragua);**

98.2. **Ratify those international human rights instruments to which it is not yet a party, such as the Second Optional Protocol to the Covenant on Civil and Political Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention on the Rights of the Child of 1989 (Spain);**

98.3. **Ratify the Optional Protocol to the ICESCR; the Second Optional Protocol to the ICCPR; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention for the Protection of All Persons from Enforced Disappearance; and, finally, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);**

98.4. **Consider accession to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Ukraine);**

98.5. **Ratify the OP-CAT and to take policy measures to prevent torture and ill treatment (Estonia);**

** The conclusions and recommendations have not been edited.

98.6. **Consider signing and ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mexico);**

98.7. **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);**

98.8. **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay);**

98.9. **Analyse the possibility of ratifying the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

98.10. **Continue efforts to foster unity in a diverse society, including to migrants, through considering the ratification of ICRMW (Indonesia);**

98.11. **Continue efforts made to achieve ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the acceptance of the competence of its Committee (Argentina);**

98.12. **Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Iraq);**

98.13. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance as well as the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty (France);**

98.14. **Consider ratification of ICCPR-OP2 (Montenegro);**

98.15. **Consider ratifying the conventions on stateless persons (Nicaragua);**

98.16. **Consider acceding to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Uruguay);**

98.17. **Accede, as early as possible, to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness (Brazil);**

98.18. **Take urgent steps to ensure full respect for the right to a nationality, and ratify the August 1961 Convention on the Reduction of Statelessness, which it signed in December 1961 (Ireland);**

98.19. **Consider ratifying ILO Convention 189 on Decent Work for Domestic Workers (Uruguay);**

98.20. **Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Estonia);**

98.21. **Ratify the Kampala Amendments to the Rome Statute (Estonia);**

98.22. **Take the appropriate measures to develop the position of the Ombudsman into an independent human rights institution in line with the Paris Principles (Norway);**

98.23. **Ensure the full independence of the Office of the Ombudsman in accordance with the Paris Principles on independent national human rights institutions (Portugal);**

98.24. **Ensure the independence of the Office of the Ombudsman in accordance with the Paris Principles (Ukraine);**

98.25. **Ensure compliance of the Ombudsman's institution with the Paris Principles (France);**

98.26. **Take measures to provide the Office of the Ombudsman with adequate resources (Ukraine);**

98.27. **Prioritise the adequate resourcing and staffing of the Ombudsman's Office, ensure that State institutions, including the National Police, collaborate fully with the Office and consider a public campaign to demonstrate to Dominican citizens how this institution can help protect and guarantee their human rights (United Kingdom of Great Britain and Northern Ireland);**

98.28. **Develop a national human rights plan (Paraguay);**

98.29. **Redouble its efforts to enforce more effectively the specific existing legislation and fully implement, among others, the Strategic National Plan for the Reduction of Maternal and Child Mortality, the National Plan for the Prevention of teenagers' pregnancy, and the Strategic Plan for the Prevention, Detection, Attention and Punishment of Violence against Women and Domestic Violence. In particular, the Dominican Republic could provide adequate resources to the relevant Ministries to ensure an effective assistance to victims (Spain);**

98.30. **Continue its efforts in the fight against corruption (Morocco);**

98.31. **Extend an open invitation to the United Nations special procedures (Portugal);**

98.32. **Extend a standing invitation to all thematic Special Procedures (Montenegro);**

98.33. **Issue a standing invitation to all special procedures of the Human Rights Council (Uruguay);**

98.34. **Work with the media and civil society organizations in changing attitudes and combat discrimination against women (Thailand);**

98.35. **Continue supporting the efforts to empower women in social and public life, including by providing adequate financial and human resources to implement policies and programmes afforded to them (Malaysia);**

98.36. **Take further steps to combat racial discrimination and human trafficking (Viet Nam);**

98.37. **Pursue its policy to protect the most vulnerable persons who are victims of racial discrimination (Angola);**

98.38. **Continue working on strengthening the protection and the necessary guarantee for all victims of racism or other forms of discrimination (Bolivia (Plurinational State of));**

98.39. **Introduce awareness-raising activities with the aim of eliminating conditions and attitudes perpetuating discrimination against Haitian migrants as well as the Dominicans of Haitian descent (Slovenia);**

98.40. **Continue taking the appropriate measures to better integrate and fully recognize persons of African descent as an important part of the Dominican society (Somalia);**

98.41. **Take the necessary measures to prevent arbitrary detentions based on discriminatory criteria of any kind, particularly those related to phenotype or those directed against LGBT persons (Mexico);**

98.42. **Adopt legislation to protect LGBT persons against gender-based violence and discrimination (Netherlands);**

98.43. **Strengthen its efforts and establish and implement policies and measures to address discrimination based on sexual orientation and gender identity (Norway);**

98.44. **Establish enforced disappearances and extrajudicial executions as criminal offenses under the Penal Code (Mexico);**

98.45. **Establish an independent body responsible for investigating possible police abuses (Spain);**

98.46. **Investigate all allegations of the use of excessive force, including killings, by law enforcement agents and ensure that they receive training on the appropriate use of force so as to prevent unnecessary causalities (Canada);**

98.47. **All law enforcement be conducted in accordance with international human rights standards and that the Dominican Republic undertakes prompt independent investigations into all alleged violations by officials (Australia);**

98.48. **Ensure the respect of human rights by law enforcement bodies and strengthen efforts to guarantee the impartiality of investigations and prosecution of police officers involved in acts of violence (France);**

98.49. **Expedite the comprehensive reform of the police (Spain);**

98.50. **Integrate a human rights based approach in the presidential commission for the reform of the police, establish an independent governance mechanism to investigate violations of human rights and ensure access to justice for victims (Switzerland);**

98.51. **Bolster mandatory human rights training for the security forces and strengthen mechanisms to investigate alleged abuses committed by security forces (United States of America);**

98.52. **Increase its efforts to ensure effective investigation into the high number of homicides and into the abuse of power by police officials and to hold those responsible accountable (Germany);**

98.53. **Launch an open dialogue with the civil society with a view to identifying and adopting further measures aimed at preventing possible abuses committed by police and security forces, and ensure that the victims and their relatives have access to fair and independent justice (Italy);**

98.54. **Continue incorporating into its national legislation measures to protect the rights of women and girls, and punish violence against women (Nicaragua);**

98.55. **Study amending its Penal Code, by incorporating the criminalization of all forms of violence against women (Uruguay);**

98.56. **Ensure that the Ministry of Women, the Ministry of Health, the Office of the Prosecutor General and other institutions with a role in preventing and addressing cases of gender-based violence are adequately resourced (Norway);**

98.57. **Take the necessary measures in order for the Ministry of Women to have adequate resources to strengthen the policies for women victims of domestic violence (Paraguay);**

98.58. **Continue to enhance the protection of women against domestic violence and further promote gender equality in its society (Singapore);**

98.59. **Implement the Strategic Plan for the prevention, detection, and repression regarding violence against women, and ensure that relevant departments have adequate resources to implement the Plan (Switzerland);**

98.60. **Allocate the necessary resources to the campaigns, plans and programs which were launched with the aim of strengthening the strife of preventing violence against women (Turkey);**

98.61. **Implement the strategic plan for the prevention, identification, support and prosecution of acts of violence against women and domestic staff (Belgium);**

98.62. **Strengthen the national action plan for the protection of women and girls against gender based violence (Belgium);**

98.63. **Strengthen the implementation in practice, of the law on the eradication of violence against women, particularly through the implementation of strategic action plans and the establishment of units for comprehensive care to victims, with emphasis on regions and localities (Colombia);**

98.64. **Keep running multiple programmes to combat against the domestic violence supported by the Ministry of Health and the Ministry of Women (Democratic People's Republic of Korea);**

98.65. **Pursue efforts to promote the rights of women and adopt all necessary measures to fight against violence against them (France);**

98.66. **Take more effective measures to reduce violence against women, especially in the domestic sphere, to eliminate the occurrence of 'feminicidios' and to reduce gender inequality (Germany);**

98.67. **Step up its efforts in order to prevent gender-based violence, punish perpetrators and provide the victims with adequate remedies, inter alia by enhancing the resources devoted to the Ministry of Women and establishing the Units for the Integrated Assistance for Victims in all provinces (Italy);**

98.68. **Continue its work to prevent the forced labour of women especially in the sugar cane plantations (Trinidad and Tobago);**

98.69. **Finalize and implement the road map "free from child labour by 2020 and from its worst forms by 2015" in the near future (Turkey);**

98.70. **Continue the efforts directed towards eliminating child labour (Ecuador);**

98.71. **Continue to strengthen its domestic framework and institutions to combat human trafficking (Singapore);**

98.72. **Intensify its efforts to combat human trafficking (Trinidad and Tobago);**

98.73. **Intensify its efforts to combat human trafficking (Algeria);**

98.74. **Strengthen efforts to combat smuggling and trafficking in persons, in order to eradicate this crime (Bolivia (Plurinational State of));**

98.75. **Consider the recommendations on reforms to the justice system made by the President of the Supreme Court in his speech of 7 January and identify improvements which will help to guarantee the human right of access to justice. This should include thorough investigation of malpractice and a zero tolerance approach towards corruption (United Kingdom of Great Britain and Northern Ireland);**

98.76. **Take all necessary measures to provide effective birth registration (Belgium);**

98.77. **Ensure effective investigation of human rights violations against journalists and human rights defenders and prosecution of the individuals responsible (Ireland);**

98.78. **Decriminalize defamation in line with international standards (Estonia);**

98.79. **Strengthen labour law enforcement by providing training to labour inspectors and conducting outreach campaigns to inform workers of their internationally recognized worker rights (United States of America);**

98.80. **Pursue efforts aiming towards putting an end to social inequality (Algeria);**

98.81. **Continue to promote the social and human development of the Dominican population by devising public policies and taking affirmative actions aimed at eliminating remaining social inequalities (Philippines);**

98.82. **Continue to give priority to the fulfilment of the basic rights of its citizens, particularly to food and to an adequate standard of living, by intensifying the implementation of comprehensive poverty-alleviation programs (Philippines);**

98.83. **Heighten the action to mitigate and eventually eliminate extreme social inequalities within the country thereby ensuring equal access by all persons to health care, education and housing (Trinidad and Tobago);**

98.84. **Continue strengthening its social plans in the area of the reduction of poverty and social exclusion (Venezuela (Bolivarian Republic of));**

98.85. **Continue consolidating the successful measures established to ensure food security and the welfare of its people (Venezuela (Bolivarian Republic of));**

98.86. **Provide access to adequate and affordable housing for everyone (Egypt);**

98.87. **Establish and implement strategies to achieve all MDGs by 2015, especially goals related to the rights of women and children (Viet Nam);**

98.88. **Strengthen services aimed at protecting women, children and other marginalized or vulnerable groups (Australia);**

98.89. **Consider adopting legislative measures to facilitate access of women in rural areas to land ownership; to ensure that poverty reduction and income generating strategies include provisions relating to rural women; and to ensure access by rural women and girls to education (Egypt);**

98.90. **Continue strengthening the Dominican social security system and the implementation of the Comprehensive Law for the national development strategy until 2030, which was issued on January 25, 2012 (Somalia);**

98.91. **Ensure universal access to health for all, by providing adequate funding in undertaking such a policy and allowing sufficient training for health personnel (Thailand);**

98.92. **Continue the current efforts to increase health-care expenditures and ensure universal access to health and adequate training of health personnel (Egypt);**

98.93. **Continue the efforts of the Government to ensure the improvement of their health system, as well as progress in other socio-economic and cultural rights (Cuba);**

98.94. **Adopt a plan to reduce maternal mortality and to equally decriminalize abortion in cases of incest or rape (Netherlands);**

98.95. **Ensure sufficient funds to effectively lower the pregnancies in adolescents, also by launching awareness-raising activities (Slovenia);**

98.96. **Take all necessary measures for the effective implementation of the national strategic plan to reduce maternal mortality 2012-2016 (Belgium);**

98.97. **Strengthen the National Strategic Plan for the Reduction of Maternal Mortality 2012-2016 and the National Plan for the Prevention of Adolescent Pregnancy (Colombia);**

98.98. **Guarantee full and effective recognition of sexual and reproductive rights (France);**

98.99. **Continue its efforts with a view to adopting HIV/AIDS care programs, including support services and effective prevention campaigns (Chile);**

98.100. **Continue taking measures that guarantee the right to education of its population (Cuba);**

98.101. **Take legislative measures to guarantee in the law universal access to primary and secondary schooling for all children without discrimination (Belgium);**

98.102. **Continue strengthening education policies to ensure the schooling of all children (Chile);**

98.103. **Encourage the authorities to strengthen educational policies in order to provide for full school enrolment of all children (Djibouti);**

98.104. **Continue its current efforts to provide access to quality education without discrimination for the school-age population throughout the country (Egypt);**

98.105. **Continue the efforts in the field of education including providing a high quality of education system that is inclusive, universal and free (Indonesia);**

98.106. **Continue to focus on the overall improvement in the quality of education provided, including by continuing to provide human rights education, training and courses to students, civilian populations and law enforcement officials (Malaysia);**

98.107. **Ensure that its migration policies adopt a human rights based approach and respect the fundamental rights of migrants (Morocco);**

98.108. **Ensure the protection and promotion of the rights of migrants, in particular the safeguarding of the interests of children and adolescents (Colombia);**

98.109. **Introduce effective measures to prevent discriminatory practices linked to the process of granting citizenship and civil status registration (Norway);**

98.110. **Undertake all necessary measures to immediately recognize citizenship to those who had it at the time of their birth (Slovenia);**

98.111. **Apply promptly and in a non-discriminatory manner the Plan for the Regularization of Foreigners and consider, for these effects, the recommendations of the Inter-American Commission on Human Rights following its visit to the country on December 6, 2013, stating that the process, as a whole, be made in accordance with its international human rights obligations (Spain);**

98.112. **Respect every person's right to nationality in accordance with the recommendations of the Inter-American Commission on Human Rights and the judgment of the Inter-American Court on Human Rights (Mexico);**

98.113. **Maximize its efforts to resolve the cases of statelessness, in coordination with UNHCR and with the support, among others, of the United Nations and Inter-American multilateral systems, strengthening a national civil registration system, so as to ensure that all the inhabitants of the Dominican Republic enjoy their rights (Uruguay);**

98.114. **Strengthen measures to guarantee the right to a nationality and include necessary safeguards to prevent statelessness of those born in the territory of the Dominican Republic (Argentina);**

98.115. **Ensure that international standards on nationality and statelessness continue to be fully applied in the country to all individuals without discrimination (Italy);**

98.116. **Seek the technical advice of the United Nations High Commissioner for Refugees to identify, prevent and reduce statelessness, protect stateless persons and address the statelessness situation (Brazil);**

98.117. **Ensure that its treatment of all affected persons is in line with its international human rights obligations and that it seek the technical advice of the United Nations High Commissioner for Refugees to identify, prevent and reduce statelessness (Germany);**

98.118. **Adopt measures to ensure that Dominicans of foreign descent keep their Dominican nationality, avoiding possible cases of statelessness (Chile);**

98.119. **The Naturalization law include all persons of foreign descent proving birth in the Dominican Republic before 2010, whether registered or not, be given state identity documents (Australia);**

98.120. **Ending mass arbitrary expulsion of migrant workers and to ensure that their human rights are respected in all deportation processes (Australia);**

98.121. **Collaborate with the Haitians authorities on migration issues (Belgium);**

98.122. **Effectively follow up the guidelines adopted by the Dominican Republic and Haiti Joint Commission on concrete measures to safeguard the fundamental rights of people of Haitian origin (Brazil);**

98.123. **Continue the dialogue with Haiti and the efforts made to date, with the support of the international community, in order to deal with the migration problems affecting the Dominican Republic (Guatemala);**

98.124. **Take measures to ensure that deportations are conducted in compliance with existing international obligations, and that immigration and law enforcement officials receive the necessary training to ensure the human rights of deportees are respected (Canada);**

98.125. **Take steps to ensure protection of the fundamental rights of all individuals born in the Dominican Republic, including the offspring of undocumented foreigners who may be at risk of becoming stateless as a consequence of Constitutional Tribunal ruling 168/13 (Canada);**

98.126. **Seek the technical advice of the United Nations High Commissioner for Refugees to identify and prevent statelessness, and protect stateless persons, to address the challenges created by the ruling of the Constitutional Court (Norway);**

98.127. **Give a special attention to children affected by the Constitutional Court ruling ensuring the provision of their basic rights, such as education, health and protection (Portugal);**

98.128. **Avoid the retroactive application of the norms that could result from the execution of the Constitutional Court's judgment 168/13 and generate situations of statelessness for citizens holding the Dominican citizenship (Spain);**

98.129. **Take all possible measures to improve the situation of the persons whose rights have been adversely affected by the decision of the Constitutional Court of 23 September 2013, and to ensure compliance with its obligations under international law (Switzerland);**

98.130. **Take the necessary political, legislative, judicial and administrative steps to redress most urgently the unacceptable humanitarian situation created by the Constitutional Court ruling (Trinidad and Tobago);**

98.131. **Implement a regularization process, in accordance with its international obligations, to prevent the arbitrary deprivation of nationality, avoid deportations of populations affected by the Tribunal's ruling, and ensure a non-discriminatory process for the acquisition of nationality by individuals born in the Dominican Republic and their descendants for whom documentation is not accessible (United States of America);**

98.132. **All rights be restored retroactively to those affected by the Constitutional Court judgment and that they be given prompt and non-discriminatory means to acquire their Dominican Republic citizenship (Australia);**

98.133. **Take all necessary measures to prevent statelessness and allow all residents to fully enjoy their fundamental rights in particular persons of Haitian's descent who have been affected by the ruling of the Constitutional Tribunal of the 23rd of September 2013 (France);**

98.134 **Continue the current efforts to consider the strengthening of environmental legislation and policies, and that the establishment of legal advisory and enforcement capacity on environment should be considered as priority needs and actions (Egypt).**

99 **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Dominican Republic was headed by Alejandra Liriano de la Cruz, Vice minister of Foreign Relations, and composed of the following members:

- Rhadys Abreu de Polanco, Ambassador, Head of the Human Rights Section of the Ministry of Foreign Relations;
- Josue Fiallo, Ambassador, Technical Advisor for the Ministry of Presidency;
- Pablo Medina, Counsellor Minister, Head of Business Affairs a.i. of the Permanent Mission to the United Nations and other International Organizations;
- Katherine Urbáez, Counsellor Minister, Head of the Human Rights Subject of the Permanent Mission to the United Nations and other International Organizations.

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Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review

Dominican Republic

Corrigendum

Paragraph 7

For Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries *read* Convention No. 189 (2011) concerning decent work for domestic workers.

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